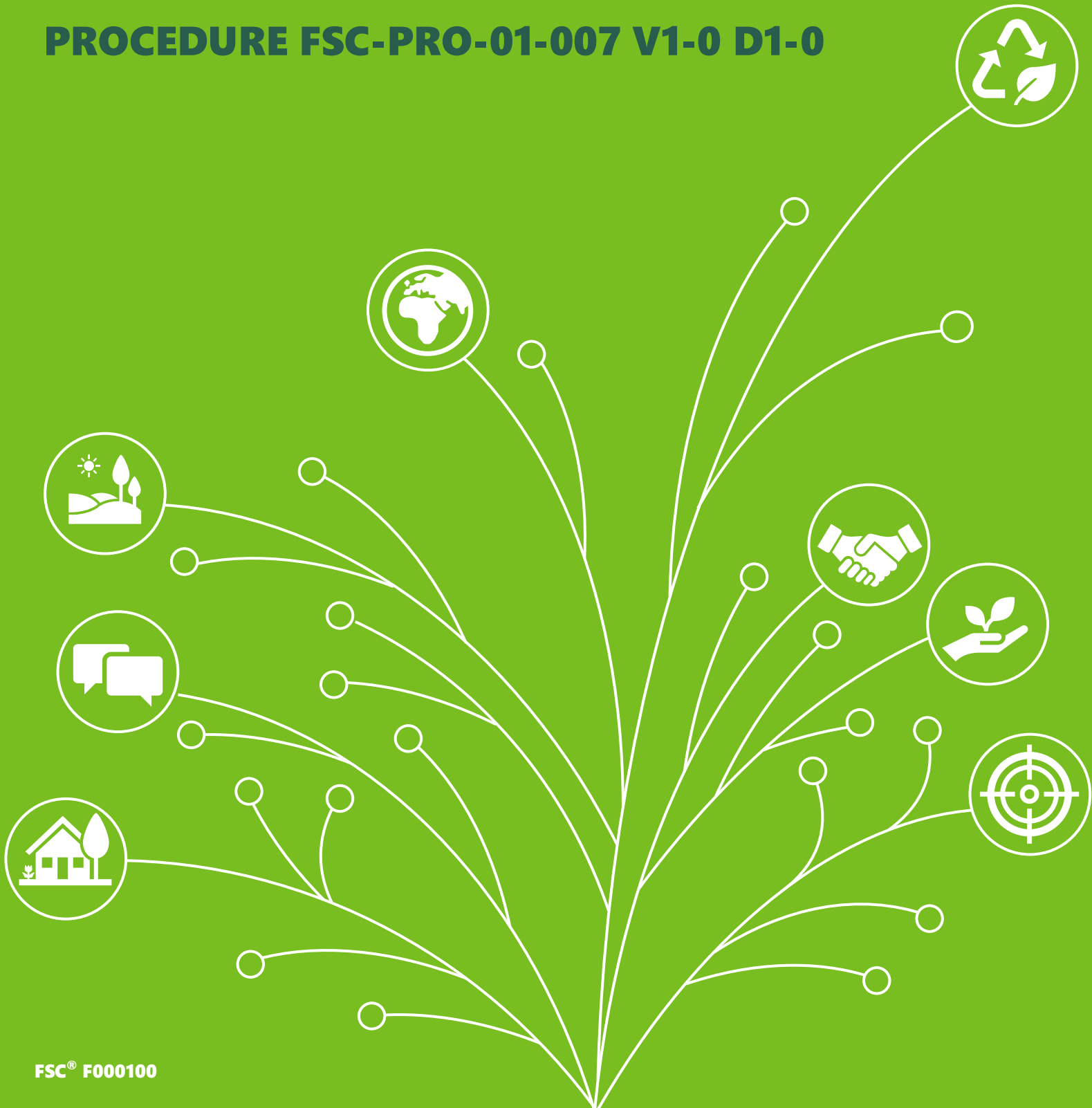




# SYNOPSIS OF CONSULTATION COMMENTS

## THE FIRST DRAFT OF FSC CONVERSION REMEDY PROCEDURE FSC-PRO-01-007 V1-0 D1-0



# FOREWORD

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At the General Assembly 2017 in Vancouver, Canada, the membership approved Motion 7 and requested that FSC puts into place a mechanism, building upon previous work, which will guide the review and revision of relevant FSC Principles and Criteria, and to advise the national standard developers in creating the corresponding indicators. In addition, the policy will provide overall guidance to the Policy of Association and other elements of the normative framework which regulate conversion. To address Motion 7, FSC has established two processes:

- 1) a chamber balanced Working Group (WG) to develop a holistic Policy on Conversion, and
- 2) a Technical Working Group (TWG) to focus on the implementation of the Policy.

The Motion 7 TWG is tasked to develop a mechanism to translate the FSC Policy on Conversion into operational practices, including FSC Conversion remedy procedure FSC-PRO-01-007 V1-0 D2-0 (see annex for procedure draft 2-0). This procedure was developed by TWG following the first round of public consultation conducted during April and June 2020.

The report authors would like to thank FSC members and stakeholders for their participation in the public consultation on the first draft of FSC Conversion remedy procedure FSC-PRO-01-007 V1-0 D1-0. Their suggestions and comments are of great importance to the development of the second draft of the Policy.

This synopsis report has been prepared in accordance with Clause 5.12 of FSC-PRO-01-001 (V 3-0)<sup>1</sup>, and contains an analysis of the range of stakeholder groups who submitted comments, as well as a summary of the issues raised in relation to the questions posted during the public consultation period. A general response to the comments and an indication as to how the issues raised were addressed are provided in the compiled comments document.

For further information related to the policy development, please visit the webpage dedicated to this page [here](#). For more information related the report, please contact FSC Forest management policy manager Yan Li at [y.li@fsc.org](mailto:y.li@fsc.org).



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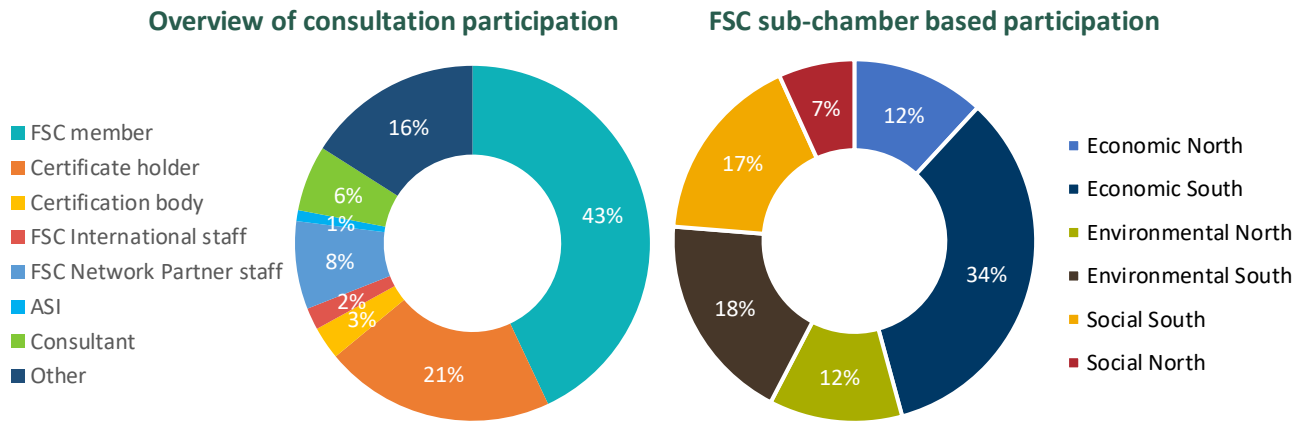
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## LIST OF ABBREVIATION

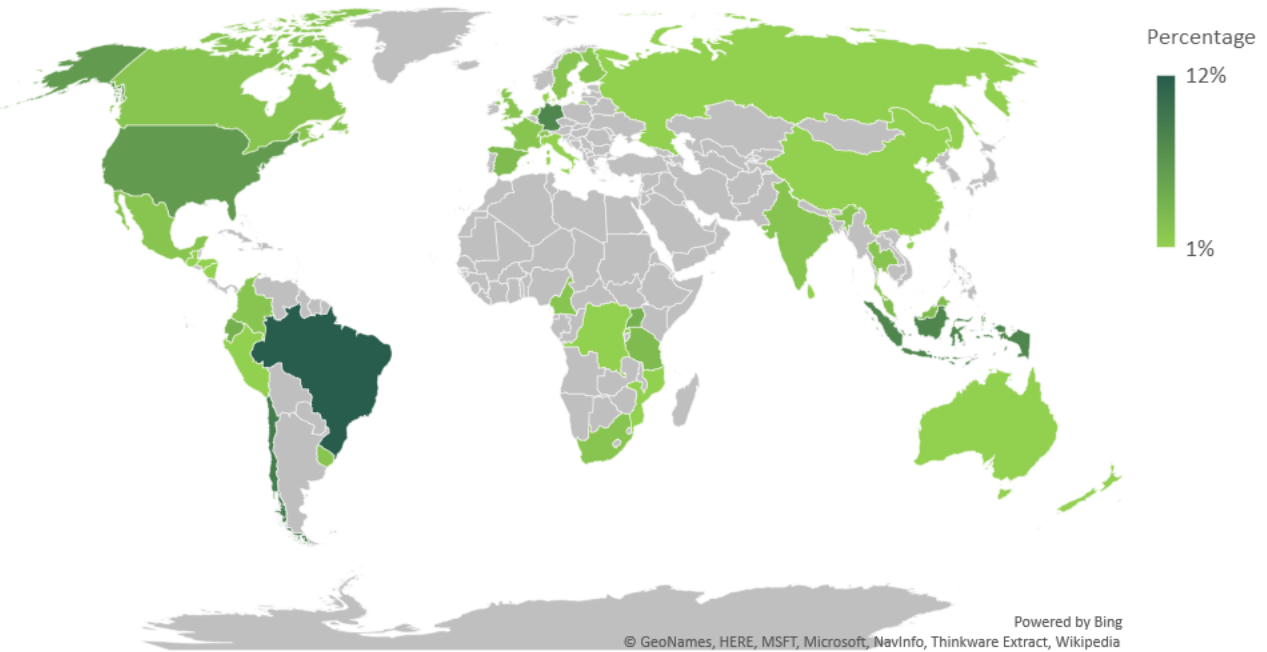
|              |   |
|--------------|---|
| <b>CB</b>    | Certification Body                      |
| <b>CH</b>    | Certificate Holder                      |
| <b>COC</b>   | Chain of Custody                        |
| <b>CW</b>    | Controlled Wood                         |
| <b>FM</b>    | Forest Management                       |
| <b>PSU</b>   | Policy and Standards Unit               |
| <b>SLIMF</b> | Small and Low Intensity Managed Forests |
| <b>ToR</b>   | Terms of Reference                      |
| <b>TWG</b>   | Technical Working Group                 |
| <b>WG</b>    | Working Group                           |

## CHAPTER 1: PUBLIC CONSULTATION PARTICIPATION OVERVIEW

Overall, 128 stakeholders provided feedback on the consulted second draft of FSC Policy on Conversion, among which, 121 consultation respondents submitted comments via FSC public consultation platform, 7 respondents provided comments via emails.<sup>1</sup> Detailed participation status<sup>2</sup> is presented in boxes below:



The 121 participants participated in public consultation platform come from 38 countries. Rate of participation is demonstrated below:



<sup>1</sup> Due to the nature of consultation quantitative analysis methodology, consultation respondents submitted comments via emails will not be counted into the quantitative analysis results in this report. Their inputs are integrated in the qualitative analysis results only.

<sup>2</sup> Background information on FSC membership can be accessed [here](#).

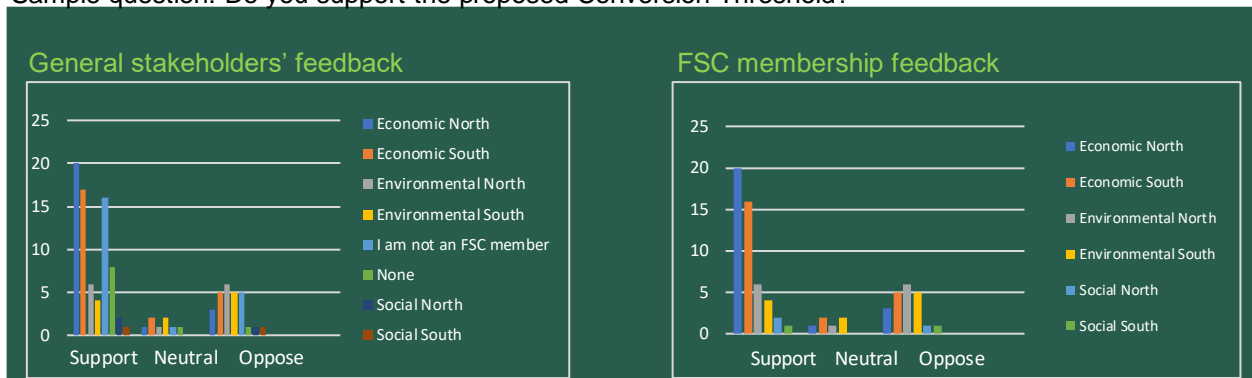
## Chapter 2: Analysis Methodology of public consultation results

Based on the feedback collected via the FSC Public consultation platform, the TWG and PSU adopted a three-step methodology for the analysis of consultation results. The TWG has organized 12 online meetings to analyze all comments received, following which, 8 online meetings and 1 intensive discussion week were arranged for TWG members to discuss how to integrate membership and stakeholders' aspirations into the second draft procedure.



**1. Quantitative analysis:** Out of the 10 question items posted during the public consultation, 7 items asked participants to answer multiple choice questions and choose from strongly disagree to strongly agree. Quantitative analysis was conducted by developing pivot charts for each of these 7 questions, analysis was done considering the requirement that an FSC Policy considers the aims and aspirations of all members, taking into account the concerns and interests of the three FSC chambers as well as its 'northern' and 'southern' membership. The analysis is presented along the following categories: (1) general stakeholders' feedback; (2) FSC membership feedback, including chamber-based, sub-chamber based and northern and southern hemisphere-based voting results.

Sample question: Do you support the proposed Conversion Threshold?



**2. Qualitative analysis:** Following the quantitative analysis, for each of the 10 question items, the TWG and PSU developed an excel tab providing the results for each sub-chamber of FSC membership along with a comprehensive summary of individual comments from respondents. Non-members' feedback is analyzed in similar in-depth fashion.



**3. Prioritization exercise:** Following the completion of qualitative analysis, a prioritization exercise was conducted by PSU and TWG in order to allow for structured assessment of feedback across chambers and ensure a balanced presentation of sub-chamber views. Comments from members and stakeholders were assessed considering whether the concern was a common theme shared across chambers or the concern was specifically expressed within a chamber:

| <b>HIGH PRIORITY:</b><br><b>Cross chamber concerns</b>  | <b>MEDIUM PRIORITY:</b><br><b>Chamber specific concerns</b>  | <b>LOW PRIORITY:</b><br><b>Other concerns</b>   |
|---|--|---|
| <p><i>These concerns are relevant to the M7 TWG process and they were shared across chambers. TWG will address them during the revision of the procedure.</i></p> | <p><i>These concerns are relevant to the M7 TWG process and they were raised by a specific chamber. TWG will address them depending on the relevancy to the procedure.</i></p> | <p><i>These concerns are relevant to other processes in FSC system (e.g. Conversion policy). TWG will forward the concerns to the relevant processes/teams.</i></p> |

## Chapter 3: Summary of Consultation Results & TWG conclusion

Below is a summary of key topics stakeholders and members provided feedback on, together with TWG conclusions on how these comments were/will be addressed. Each key topic contains two/three sections: a) questions posted during public consultation; b) quantitative results (for multiple choices questions only), and c) qualitative results and TWG conclusions.

**Note:**

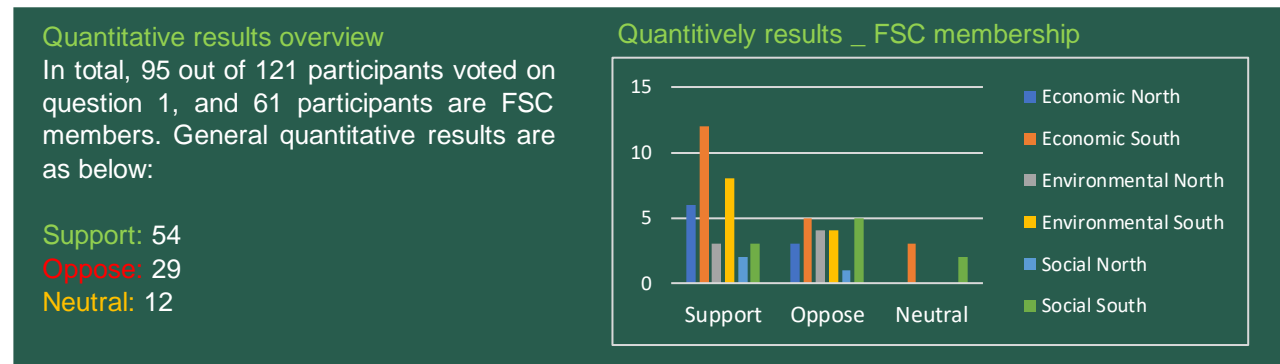
- (1) The qualitative results below contain a summary of stakeholders/membership feedback only, not all comments received are presented in the report.
- (2) The qualitative results are categorized into three priority levels (High, medium and low priority), details of parameters used in the prioritization process can be found under chapter 2.

### 3.1 Conversion threshold

#### a) Questions posted during public consultation

Question 1. Do you support the proposed Conversion Threshold?

#### b) Quantitative results – Question 1



#### c) Qualitative results – Question 1

| Summary of qualitative results analysis:  |  |   |
|---|--|---|
| Members and stakeholders requested further clarifications on several key elements in the proposed conversion threshold, e.g. (1) what are the measurable indicators for “potential for recovery”, (2) how are social values considered, (3) What will be the spatial or temporal limits that allow determining whether the “potential for recovery”, etc. Meanwhile, some stakeholders suggested the conversion threshold to not focus on forests’ “natural recovery potential”, but to include the damage and lost caused by conversion. |  |   |
| Details of qualitative results analysis:  |  |   |
| Priority  | Stakeholder/Membership feedback  | TWG Conclusion  |
| High priority   | 1. Clarify the method to evaluate the canopy cover in practical: satellite imaginary data (year? resolution?), grown checking by whom, local community perception. | The conversion remedy procedure does not post prescriptive requirements on the methodology used for evaluation of canopy cover. Instead, the procedure requires organizations to map and evaluate forest conversion based on best available information*, consultation with Affected Rights Holders*, Affected Stakeholders* and expert knowledge the converted area. |
|   | 2. The entire concept of the threshold is that the natural forest condition is   | The TWG believes even if some conversions bring social-economical value, it will not influence the  |



High priority

the most ecologically productive and diverse and healthiest outcome.

There are many cases where this is just not the case and in fact a plantation, as defined, is in fact a better outcome for society and broader forest health.

3. To meet the "native recovery potential" is necessary more than one threshold, it depends on the context (climate, region, forest type). This process could take more than a decade to be fully achieved. It would be possible to consider the local environmental legislation to support this point.

4. The definition of ecosystem function does not cover all ecosystem services, nor does it cover many of the other social values and uses associated with natural forests. All-natural forest components and values should be maintained and restored by FSC certification, not just those covered by the ecosystem function definition, or by the relatively narrow (but important) HCV definitions and protections. Suggestion: the conversion threshold should instead state clearly that 'conversion is the conversion of a natural forests (including both HCV areas and HCS forests) to another land use, and thus to a land use that is not natural forests or condition other than natural forest, including but not limited to conversion resulting from forest degradation.' Besides, to include social element e.g. "...and the landscape function was compromised to attend the need of the communities and people affected by the conversion".

definition of conversion and conversion threshold, as conversion is defined as change of land cover caused by human activities, despite the potential social and economic values associated with conversion.

TWG improved definition of initial the implementation thresholds as in the conversion remedy procedure draft 2-0:

Conversion threshold (D1-0): Where the land use\* has changed from the FSC definition of a natural forest\* and / or the ecosystem function\* have been degraded to the point where natural recovery potential\* to natural forest\* is unable to be achieved without direct intervention. This Conversion Threshold may be adapted by Standards Development Groups to reflect the varying forest types found within their countries.

Conversion threshold (D2-0): Where degradation and clearing has occurred to a point where natural recovery potential\* to natural forests\* or, where social harm\* as a result of this degradation and clearing and recovery is unable to be achieved without direct intervention. This Conversion Threshold may be adapted by Standards Development Groups to reflect the varying forest types found within their countries.

TWG reviewed the term used across conversion remedy procedure, including but not limited to "ecosystem function", "ecosystem services", "ecosystem attributes", etc. Based on this review, TWG has corrected and aligned the terms used across the remedy procedure: for environmental remedy, "ecosystem attributes" is used as an umbrella term for ecosystem function, environmental values, etc. In terms of social restitution, "ecosystem services" is used to align the thinking with FSC Policy on Conversion.

Regarding the suggestion provided under this comment, the Motion 7 WG proposed in the conversion policy that the conversion definition includes two scenarios: (1) rapid transformation from natura forests or HCVs to other land use/s, and (2) gradual degradation which will lead to transformation from natural forests or HCVs to other land use/s. The suggestion only include scenario (1).





High priority

5. The definition of conversion threshold include "ecosystem function degradation" and "recovery potential to natural forest", they are vague, difficult to assess, subject to interpretation/adaptation and can lead to all sorts of undesirable effects. Suggestion: The entire Policy on conversion and the associated procedure should simply NOT refer to "conversion of forest", but to "establishment of tree plantation" - the term "tree plantations" is internationally defined and existing definitions are easier to adapt to FSC needs and an interpretation at national level is NOT necessary which ensures global consistency.

FSC supports the responsible use of plantations as a strategy to complement conservation and the sustainable use of natural forests. While plantations cannot replace the richness, stability and beauty of natural forests or the complexity of the services they provide, applying the FSC standards to them ensures that their management is defined by transparency and fairness and minimizes negative environmental and social effects. Thus, the establishment of tree plantation does not necessarily imply negative forest management practices.

Instead of emphasizing on the establishment of tree plantation, the WG & TWG focus on the pre-conversion state of the forest and define conversion as change of natural forest cover or High Conservation Value areas induced by human activity. The definition includes both rapid transformation of land cover (e.g. from natural forest to plantation and other land uses, etc.) and gradual degradation. Moreover, FSC already has definition on natural forests.

Besides, TWG believes that by defining ecosystem function degradation and other key attributes of conversion, it provides further clarity for the threshold of conversion.

6. This definition does not establish spatial or temporal limits that allow determining whether the "potential for recovery" (e.g. if we wait a million years practically everything will recover naturally - so what is the timeline?), and without the inclusion of key values such as HCVs and High Carbon Stock forests.

TWG agreed that including spatial or temporal limits could create complications to the definition, the definition shall just include the damage due to conversion. Meanwhile, TWG agreed that HCVs and HCS will not be included in the conversion threshold, as the new conversion definition proposed in conversion policy - which includes HCVs- shall be applicable after the effective date of conversion policy. For conversion threshold, which is used in the context of past conversion, the conversion definition prior to effective date of conversion policy applies - which is conversion of natural forests without the inclusion of HCVs.

7. The definition of the threshold needs to be defined further with, for instance, a percentage estimate of the level of deforestation and soil degradation, etc. Conversion is about values of a forest which have been damaged or lost, not the ability for the forest to "recover", thus a full list of social and environmental attributes and values, an assessment of the impact and harm on each of these needs to be fully understood and then a process developed to restore or remedy the damage for EACH value.

TWG improved definition of conversion thresholds as in the conversion remedy procedure draft 2-0, to include the damage and lost caused by conversion:

Conversion threshold (D1-0): Where the land use\* has changed from the FSC definition of a natural forest\* and / or the ecosystem function\* have been degraded to the point where natural recovery potential\* to natural forest\* is unable to be achieved without direct intervention. This Conversion Threshold may be adapted by Standards Development Groups to reflect the varying forest types found within their countries.





|                        |  |  |
|------------------------|--|--|
|                        | <p>It may be that the social or environmental damage is so extreme that no remediation is possible or would be considered adequate - these organizations may not be certifiable.</p>   | <p>Conversion threshold (D2-0): Where degradation and clearing has occurred to a point where natural recovery potential* to natural forests* or, where social harm* as a result of this degradation and clearing and recovery is unable to be achieved without direct intervention. This Conversion Threshold may be adapted by Standards Development Groups to reflect the varying forest types found within their countries.</p> <p>Besides, TWG provided further guidance on conversion threshold under annex 1 of the second draft procedure. Please refer to the procedure for further details.</p>   |
|                        | <p>8. Definition between conversion and degradation should be differentiated. It is vital that FSC maintains clarity and consistency in any (and all) procedure it creates – if this is to be a procedure for remedy, it should outline clearly when the procedure kicks in (this threshold). Allowing for a procedure to kick in anywhere along the “degradation to total loss gradient” adds complexity.</p> <p>9. Degradation: A key factor that is not well defined is change of Natural Forest Cover for degradation threshold.</p>   | <p>The second draft conversion remedy procedure provides definitions on conversion, conversion threshold (which considers degradation) and degradation.</p> <p>Conversion: A lasting change of natural forest cover* or High Conservation Value* areas, induced by human activity*. This may be characterized by significant loss of species diversity*, habitat diversity, structural complexity, ecosystem functionality or livelihoods and cultural values. The definition of conversion* covers gradual forest degradation as well as rapid forest transformation.</p> <p>Degradation: Changes within a natural forest* or High Conservation Value* area that significantly and negatively affect its species composition, structure and/or function, and reduces the ecosystem’s capacity to supply products, support biodiversity and/or deliver ecosystem services.</p> |
| <p>Medium Priority</p> | <p>1. Stop any conversion of former natural forests to FSC certified plantations, as it will harm FSC’s acceptance and reputation.</p> <p>2. FSC should establish a standard development group tasked to draft a stand-alone FSC Conversion Restoration, Restitution and Remedy for Social Harm Standard, that would be used instead of the currently proposed Conversion Remedy Procedure. The composition of the established working group or standard development group must include independent experts in the fields of environmental restoration and social restitution, experienced standard developers, and a single representative from all chambers.</p> | <p>The comment is relevant to FSC Policy on conversion (process webpage <a href="#">here</a>), the conversion remedy procedure is to implement the policy proposals.</p> <p>FSC provided response letter to the respondent regarding their proposal for a stand-alone conversion and remedy standard.</p> <p>For the development of FSC policy on conversion, M7 WG was established and within the group, there are 6 members representing each sub-chamber. Meanwhile, M7 TWG tasked to develop conversion policy contains 4 expert members in the fields of environmental and social remedy. Please see further information on WG <a href="#">here</a>, and TWG <a href="#">here</a>.</p>  |

### 3.2 Terms & definitions

#### a) Questions posted during public consultation

Question 2: The TWG has used international terms and definitions wherever possible to enable the alignment with international best practice. Do you support this approach and the current terms and definitions?

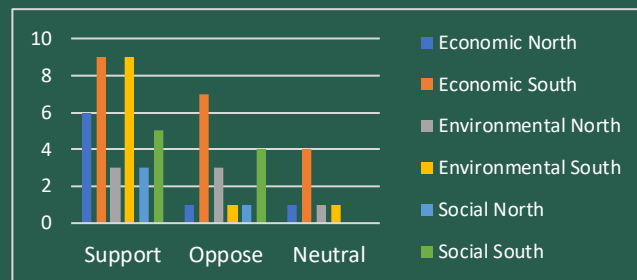
#### b) Quantitative results - Question 2

##### Quantitative results overview

In total, 93 out of 121 participants voted on question 2, and 59 participants are FSC members. General quantitative results are as below:

Support: 57  
 Oppose: 22  
 Neutral: 14

##### Quantitively results \_ FSC membership



#### c) Qualitative results - Question 2

##### Summary of qualitative results analysis:

Members and stakeholders suggested that TWG evaluate if social aspects are well considered in the terms and definitions. A majority of suggestions were around the terms “initial implementation threshold” and “conversion threshold” and requested measurable indicators which could be used by auditors for evaluating conversion and the threshold for gaining eligibility for FSC FM certification or association.

##### Details of qualitative results analysis:

| Priority | Stakeholder/Membership feedback  | TWG conclusion   |
|----------|--|--|
|          | <p>1. The definition of ecosystem function does not cover all ecosystem services, nor does it cover many of the other social values and uses associated with natural forests. All-natural forest components and values should be maintained and restored by FSC certification, not just those covered by the ecosystem function definition, or by the relatively narrow (but important) HCV definitions and protections. Suggestion: the conversion threshold should instead state clearly that 'conversion is the conversion of a natural forests (including both HCV areas and HCS forests) to another land use, and thus to a land use that is not natural forests or condition other than natural forest, including but not limited to conversion resulting from forest degradation.' Besides, to include social element e.g. "...and the landscape function was compromised to attend the need of the communities and people affected by the conversion".</p> | <p>TWG agreed that “ecosystem function” does not cover all ecosystem services as well as social values. TWG improved definition of initial the implementation thresholds as in the conversion remedy procedure draft 2-0, to include the damage and lost caused by conversion:</p> <p>Conversion threshold (D1-0): Where the land use* has changed from the FSC definition of a natural forest* and / or the ecosystem function* have been degraded to the point where natural recovery potential* to natural forest* is unable to be achieved without direct intervention. This Conversion Threshold may be adapted by Standards Development Groups to reflect the varying forest types found within their countries.</p> <p>Conversion threshold (D2-0): Where degradation and clearing has occurred to a point where natural recovery potential* to natural forests* or, where social harm* as a result of this degradation and clearing and recovery is unable to be achieved without direct intervention. This Conversion Threshold may be adapted by Standards</p> |



|  |   |   |
|--|---|---|
|  |   | <p>Development Groups to reflect the varying forest types found within their countries.</p> <p>Furthermore, TWG clarified and added definitions to establish the difference between ecosystem services and ecosystem attributes in the second draft procedure. Please refer to the procedure for further details.</p>   |
|  | <p>2. Consider the Implementation Threshold Definition - consider where projects may not start from total degradation / projects for protection /restoration of RTE / HCV / Offsite restoration, etc.</p>   | <p>TWG added requirements under Part 2 and Part 4 of the procedure, which outlines how previous efforts for remedy shall be considered during baseline assessment and the development of remedy plan.</p>   |
|  | <p>3. Better definition of terms, namely "native recovery" and "ecologically viable" - TWG to consider the new concepts and thinking, to assess if SER is the best available references for terms and definitions.</p> <p>4. It may be preferable to use the Restoration Opportunities Assessment Methodology as a tried and true best practice guideline that will address many of the baseline assessment issues.</p> | <p>TWG agreed that SER seems the most advanced references related to restoration.</p> <p>Meanwhile, TWG believes other references e.g. ROAM proposed by several stakeholders is more suitable to be used as a technical guidance document.</p>  |
|  | <p>5. Clarify 'maximal conservation outcomes' vis a vie ecological outcomes.</p>  | <p>TWG agreed to add further clarification on maximal conservation outcome, for example, when determining how to maximize <i>conservation</i>* outcomes, site selection and determination shall justify the choice of project and / or activity in relation to other options available to the organization. Justifications may include increased scale of project and impact remedy actions related to the extent of the harm caused; focus on more critical habitats, ecosystems and species; or a focus on priority activities.</p>   |
|  | <p>6. Define 'intensity of environmental harm'</p>  | <p>TWG added the following additional definitions in the conversion remedy procedure:</p> <p>Scale: A measure of the extent to which a management activity or event affects an environmental value or a management unit, in time or space. An activity with a small or low spatial scale affects only a small proportion of the forest each year, an activity with a small or low temporal scale occurs only at long intervals. Source: FSC-STD-01-001 V5-2</p> <p>Intensity: A measure of the force, severity or strength of a management activity or other occurrence affecting the nature of the activity's impacts. Source: FSC-STD-01-001 V5-2</p> |
|  | <p>1. Consider if the threshold in the right place is the term correct, should it be</p>  | <p>TWG improved Box 1 which provides pictorial representation of the SER Restorative continuum</p>  |



|  |   |   |
|--|---|---|
|  | <p>Improving ecosystem management / Initiating native recovery.</p>   | <p>(Gann et al 2019) indicating the phase at which it may be possible to consider that there is implementation of the initial environmental aspects of the Remedy Plan. Instead of a single line indicating the threshold, TWG agreed to adjust it to the whole period of native recovery.</p>  |
|  | <p>2. Glossary term “implementation threshold” rather than “initial implementation threshold”. Suggest substitute "threshold" for initial/intermediate/final indicators following local env. Reference.</p>   | <p>TWG revised the term “implementation threshold” into “initial implementation threshold”, to emphasize that this is the threshold to apply for certification or association, and this is not the end goal of remedy project.</p>  |
|  | <p>3. The definition of Conversion should include natural forest cover. These concepts, gradual forest degradation and accelerated forest transformation also need to be clarified. These terms refer to natural forests. Is fire degradation a gradual forest degradation? And, when you talk about Lasting Change of Vegetable Cover, is the right thing to do is vegetable or natural? natural forests? Looks like it's a translation problem.</p> | <p>The definition of conversion does include natural forest cover as below:</p> <p>Conversion: A lasting change of natural forest cover* or High Conservation Value* areas, induced by human activity*. This may be characterized by significant loss of species diversity*, habitat diversity, structural complexity, ecosystem functionality or livelihoods and cultural values. The definition of conversion* covers gradual forest degradation as well as rapid forest transformation. FSC will contact translator to ensure accurate translation for second draft of remedy procedure.</p> <p>Furthermore, there are existing FSC terms and definitions on e.g. natural forests and plantation which help adding clarify on the conversion definition.</p> |
|  | <p>4. Definition of “expert” or “competent authority” should include anyone who can demonstrate relevant knowledge, and not only FSC listed industry experts.</p>   | <p>TWG revised the terms and definitions as following:<br/> <b>Competent authority (D1-0):</b> An independent, third party company or organization appointed by FSC to assess the Concept Notes of Remedy Plans, approve Remedy Plans, facilitate peer review of plans, monitor implementation, verify initial implementation of the Remedy Plan and report on ongoing implementation of the Remedy Plan. This third party may vary depending on whether the organization implementing the remedy actions intends to acquire FSC standards certification or simply associate with FSC and based upon internal decisions as to whether they need to change based upon scope of review.</p>   |
|  | <p>5. Define credentials - this may be a translation concern?</p>   | <p><b>Third Party Verifier (D2-0):</b> An independent, third party company or organization approved by FSC international comprising expertise in, environmental and social harm and remedy required to verify compliance of remedy processes. (Source: FSC-POL-01-007 FSC Policy on Conversion Version 1-0 Draft 3-0)</p>   |

|  |   |  |
|--|---|--|
|  |   | <p><b>Independent Assessor (D2-0):</b> An entity without conflict of interest who is not subject to the organizations or its group of companies' authority, influence or control. The entity shall have:</p> <ul style="list-style-type: none"> <li>a) Expert knowledge on the presence and rights of Indigenous Peoples and/or traditional peoples and local communities associated with the conversion process, assessed based on confirmed experience and/or education and/or licenses in the relevant area;</li> <li>b) Knowledge (including awareness) of existing conflicts pertaining to the rights of Indigenous Peoples, traditional peoples and local communities; and</li> <li>c) Confirmed experience in consultation/mediation with Indigenous Peoples, traditional peoples and local communities.</li> </ul> |
|  | <p>6. Definition of land use required including the describing characteristics of land use. Forest cover requires definition with reference to characteristics of forest types. Local stakeholders referred to needs definition.</p>  | <p>The procedure provided forest types and forest cover related to each type under annex 2.</p> <p>Conversion remedy procedure draft 1-0 use the term local stakeholders and did not provide definition for that. Procedure draft 2-0 use FSC existing terms on affected stakeholders and affected rights holders and provided relevant definitions under annex 3 terms and definitions.</p>   |
|  | <p>7. Different scope of remedy procedure and generic roadmap process: for those seeking reassociation, the procedure could also be used to remediate harm for past conversion as part of the generic roadmap process. This should be complemented by other requirements, because it only "specifies requirements applicable at Management Unit level" and lacks requirements for the whole set of wood supply areas for an organization.).</p> | <p>FSC acknowledges that several ongoing processes in the system are highly relevant to conversion and need to be coordinated well. These include the development of the FSC policy on conversion and the conversion remedy procedure, the revision of the Policy for Association and the Generic Roadmap for ending disassociation. All of these processes are related to conversion and there is a clear request from stakeholders and membership for FSC to coordinate and communicate the processes in order to provide clarity and consistency in all conversion rules in FSC. Please see <a href="#">here</a> on further plans to coordinate between these interlinked processes.</p>  |
|  | <p>8. Large volume of CW is purchased by FSC CoC certificate holders on a spot basis, so these CHs have no long-term relationship with their CW suppliers. Therefore, they cannot follow-up on the implementation of a long-term remedy plan.</p>   | <p>The conversion policy applies to certification against National Forest Stewardship Standard, Interim National Standard or FSC-STD-30-010 Controlled Wood Standard for FM enterprises.</p>   |

**3.3 Applicability of the remedy procedure (1)**

**a) Questions posted during public consultation**

Question 3: Do you support that this procedure may be used by anyone (whether they are within the current FSC system or not) for remedy of harms caused by conversion?

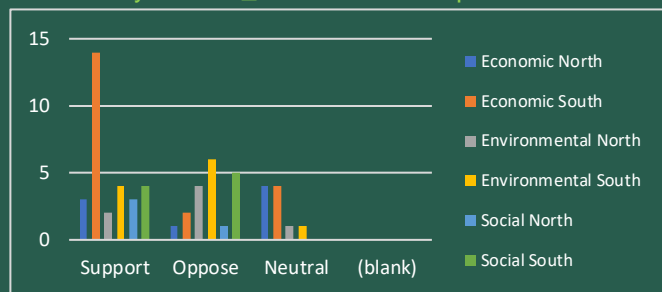
**b) Quantitative results**

**Quantitative results overview**

In total, 92 out of 121 participants voted on question 3, and 59 participants are FSC members. General quantitative results are as below:

Support: 53  
 Oppose: 21  
 Neutral: 18

**Quantitatively results \_ FSC membership**



**c) Qualitative results**

**Summary of qualitative results analysis:**

Though more respondents supported the idea that the procedure maybe used by anyone (if they are in FSC system or not), there are concerns raised by members and stakeholders on for example: (1) smallholders do not have sufficient resources to meet the remedy requirements, thus the procedure may not be applicable to them, (2) as FSC’s mission is about forest, how would the procedure be useful for other fields?

**Details of qualitative results analysis:**

| Priority        | Stakeholder/Membership feedback   | TWG conclusion   |
|-----------------|---|--|
| High priority   | 1. If this is implemented outside FSC what are the PfA implications?  | <p>TWG appreciates the comments provided by stakeholders and members. Some comments are directly related to the conversion policy which is currently being finalized. Further information on the policy is available <a href="#">here</a>.</p> <p>TWG will focus on the development of conversion remedy procedure which could be used by certification applicants to address their past conversion.</p> <p>Lastly, FSC is currently coordinating between conversion remedy procedure and Generic roadmap (and Policy for Association revision process) to clarify the situation for organizations that want to be associated with FSC (e.g. as member, certificate holder) and members and certificate holders that have been suspended because of violation of conversion rules.</p> |
|                 | 2. This will not be taken up by small holders due to complexity and costs.  |  |
|                 | 3. Should this be applied to other organizations where FSC mission is about forests?  |  |
| Medium priority | 1. There are comments associated with ownership, direct and indirect involvement.   | <p>Lastly, FSC is currently coordinating between conversion remedy procedure and Generic roadmap (and Policy for Association revision process) to clarify the situation for organizations that want to be associated with FSC (e.g. as member, certificate holder) and members and certificate holders that have been suspended because of violation of conversion rules.</p>  |
|                 | 2. Root causes of conversion, particularly in Africa need to be considered in the setting of dates and applicability of remedy. |  |
|                 | 3. FSC needs to simplify the system and reduce complexity, we want FSC to implemented - complexity discourages implementation.  |  |
| Low priority    | 1. What is the point of wider application if the entities are not interested in FSC   | <p>Lastly, FSC is currently coordinating between conversion remedy procedure and Generic roadmap (and Policy for Association revision process) to clarify the situation for organizations that want to be associated with FSC (e.g. as member, certificate holder) and members and certificate holders that have been suspended because of violation of conversion rules.</p>  |
|                 | 2. Why should FSC support bulk normalizing of conversion through later remedy?  |  |
|                 | 3. There should be a strong communication procedure if this is used outside of FSC, including training.                         |  |



### 3.4 Applicability of the remedy procedure (2)

#### d) Questions posted during public consultation

Question 4: Considering the intent of various FSC standards and verification methodologies, do you believe the Conversion Remedy Procedure could be used in the following normative framework documents: Controlled Wood Standard for FM Enterprises, Requirements for Sourcing FSC Controlled Wood, Policy for Association?

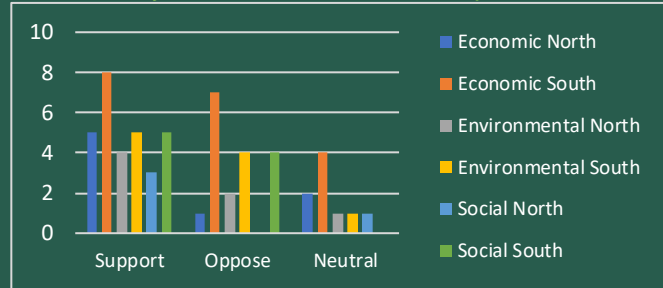
#### e) Quantitative results

##### Quantitative results overview

In total, 90 out of 121 participants voted on question 4, and 57 participants are FSC members. General quantitative results are as below:

Support: 44  
 Oppose: 26  
 Neutral: 20

##### Quantitively results \_ FSC membership



#### f) Qualitative results

##### Summary of qualitative results analysis:

Major concerns were raised around how the remedy procedure will apply for an association scenario. The requirements outlined in the remedy procedure are applicable for forest management unit level and lack of requirements for the organizations' group level and their complete supply chains.

##### Details of qualitative results analysis:

| Priority      | Stakeholder/Membership feedback   | WG conclusion  |
|---------------|---|--|
| High priority | 1. TWG to consider how do we retain desired variability of the different FSC standards while ensuring uniformity of the application of the procedure.   | Upon the finalization of conversion remedy procedure, TWG will develop report on how to align conversion rules across FSC normative framework.   |
|               | 2. The conversion period between Nov 1994 to oct 2020 should be clearer. In the decision tree for the applicability of the Remedy Procedure, the way it is written, one can understand that for organizations applying to associate with FSC, all conversion post Nov 1994 are eligible.          | FSC is currently finalizing the cut-off rule for past conversion in the conversion policy and process update can be found <a href="#">here</a> . Based on the finalized cut-off rule, TWG will revise part 1 and annex 1 of the procedure accordingly to reflect the final proposal on cut-off rule for past and future conversion, and for certification and association scenarios.   |
|               | 3. Not applicable for Controlled Wood Requirements for Sourcing FSC Controlled Wood.  | TWG agrees with the comment.   |
|               | 4. Different scope of remedy procedure and generic roadmap process: for those seeking reassociation, the procedure could also be used to remediate harm for past conversion as part of the generic roadmap process. This should be complemented by other requirements, because it only "specifies | FSC acknowledges that several ongoing processes in the system are highly relevant to conversion and need to be coordinated well. These include the development of the FSC policy on conversion and the conversion remedy procedure, the revision of the Policy for Association and the Generic Roadmap for ending disassociation. All of these processes are related to conversion and there is a clear request from stakeholders and membership for FSC to coordinate |





|  |   |
|--|---|
| requirements applicable at Management Unit level” and lacks requirements for the whole set of wood supply areas for an organization. | and communicate the processes in order to provide clarity and consistency in all conversion rules in FSC. Please see <a href="#">here</a> on further plans to coordinate between these interlinked processes. |
|--|---|

### 3.5 Concept note

#### a) Questions posted during public consultation

Question 5: Is a concept note a good idea to ensure that all parties are satisfied with the baseline assessment, analysis and concepts for the development of the Remedy Plan?

#### b) Qualitative result

**Quantitative results overview**

In total, 83 out of 121 participants voted on this question, and 55 participants are FSC members. General quantitative results are as below:

**Yes: 61**  
**No: 22**

**Quantitatively results \_ FSC membership**

| Response | Economic North | Economic South | Environmental North | Environmental South | Social North | Social South |
|----------|----------------|----------------|---------------------|---------------------|--------------|--------------|
| No       | 1              | 4              | 3                   | 5                   | 0            | 5            |
| Yes      | 7              | 15             | 3                   | 5                   | 3            | 4            |

#### c) Qualitative results

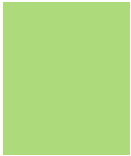
| Summary of qualitative results analysis:   |  |   |
|--|--|---|
| A majority of the consultation respondents commented that it is a good idea to have a concept note to assess if all parties are satisfied with the proposed remedy measures. Members and stakeholders suggested that TWG include list of elements to be included in the concept note: e.g. immediate, medium, and long-term actions, measurable objectives, timeframe to achieve remedy project milestones, etc. |  |   |
| Details of qualitative results analysis:   |  |   |
| Priority   | Stakeholder/Membership feedback  | WG conclusion   |
| <b>High priority</b>   | 1. Include template for concept note in the next draft (this would provide specific parameters and indicators). Note: similar comments received for the development of remedy plan (“It would be very valuable if there could be an example of such Remedy Plan and/or a template, just to get an idea of what elements are covered and how this is best structured.”) | TWG developed minimum requirements (checklist) for concept note or remedy plan, but TWG or FSC cannot provide template of concept note and remedy plan, etc. as FSC or CBs shall not develop anything that will be part of the conformance check/audit.   |
|  | 2. Make it clear that the concept note is an outcome of expert input and affected stakeholder input (Therefore the concept note would have the approval of all parties).   | Part 2 of the procedure includes both baseline assessment and agreeing on remedy activities and site selection for remedy project. Thus, in that stage, remedy actions and sites shall be approved by affected rights holders already. Concept note will reference the baseline assessment report and FPIC* |



|                  |  |   |
|------------------|--|---|
| High<br>priority |  | agreements, and it needs to be approved by third party verifier.  |
|                  | 3. Consider if the Concept Note should be made publicly available.   | TWG agreed to add in the procedure draft 2-0 that organization shall make the approved concept note, excluding confidential information, publicly available and free of charge.   |
|                  | 4. This stage will identify and assess all activities, locations and methodologies, conduct consultative dialogues to gain acceptance, and prioritize the entire plan into immediate, medium- and long-term actions.   | TWG agreed that these elements are included under Part 2, which outlines requirements for conducting the baseline assessment and for agreeing remedy activities and locations.<br><br>TWG added in Part 3 that concept note shall contain estimated full implementation timeline of remedial action. This shall include short, medium, and long terms goals of the remedy plan. |
|                  | 5. How to demonstrate a long-term commitment by the organization (WG proposes 25 years)?   | TWG included the principle around longevity of remedy project in the procedure draft 2-0.   |
|                  | 6. Priority activities required in remedy plan need to be approved and form part of the implementation, monitoring and initial implementation threshold. Management, protection and control to be included as priority activities. Rehabilitation should be recognized as the first step to restore functioning to achieve restoration. 'Remedy of priority conflicts' should not be listed as a priority activity as this involves a drawn-out resolution process needing remedy based on local context and regulatory frameworks.  | TWG agreed to separate the implementation threshold in draft 1-0 into environmental and social thresholds as in draft 2-0.<br><br>To be able to meet the environmental initial implementation threshold, one of the requirements is that organization shall complete the implementation of priority activities.   |
|                  | 7. Concept note: what is the definition of technical criteria to orient this evaluation, such as a decision-making diagram.  | TWG revised the Part 3 concept note to provide further clarities on the technical content required for the concept note – which will be assessed by the third party verifier. Please see the procedure draft 2-0 for details.   |
|                  | 8. reference models/ecosystem attributes are generally used to set the restoration outcome (or remedy objective). They should not be directly used to determine progress or completion of the plan itself. This may sound like a language interpretation, but it is not. A reference model/ecosystem attribute is an ecological character and cannot be sufficiently measured. Only an objective/outcome can be made measurable. Setting an unmeasurable objective lead to conflict. Suggestion: add under section 8.2 the following:<br>8.2 d) Identification of restoration reference models* and ecosystem attributes (ecosystems or habitat that | TWG appreciates the comment and has adjusted the conversion remedy procedure accordingly. Please refer to part 4 of the procedure for details. Comparison between procedure draft 1-0 and 2-0 is provided under procedure revision crosswalk available on the consultation platform <a href="#">here</a> .  |



|                               |   |  |
|-------------------------------|---|--|
| <p><b>High priority</b></p>   | <p>was lost and should be restored or conserved), which will be used to set remedy objectives. 8.2.e) A single remedy objective should be set for each activity (multiple objectives for a single action are not encouraged). The aggregate measurable objectives will be used to determine progress and completion of the Remedy Plan. 8.2 f) Measurable parameters (area and properties of ecosystem or social values that should be restored) for monitoring according to the expected recovery trajectory indicating that the Remedy Plan is achievable within the timelines. This shall include benchmarks for annual monitoring. A single parameter is recommended for each activity.</p> |  |
|                               | <p>9. Part of the concept note procedure requirements determines that the organization implementing remediation actions should be selected based on input from local stakeholders, conservation outcomes and social benefits. But this organization should be certified in CoC, be an FSC forest contractor, or belonging to an FSC group.</p>  | <p>TWG does not want to provide prescriptive requirements on what type of organizations these should be, but the focus should be on if the selection of this organization could achieve maximal conservation outcomes and social benefits.</p>   |
| <p><b>Medium priority</b></p> | <p>10. Retrospective Community Rights is dangerous, may nullify previous agreements / commitments and national laws adding significant costs and burdens to certification.</p>  | <p>TWG will further discuss the retrospective community rights identification and agreements and welcome additional comments on this issue.</p>  |
|                               | <p>11. FSC needs to consider how this policy will affect the marketing of FSC timber, native vs plantation / converted pre-94 / converted post 94 under remedy procedure / converted post 94 under restoration.</p>   | <p>The comment is related to FSC Policy on Conversion and please refer to the policy crosswalk <a href="#">here</a> for the latest status of policy development and finalization.</p>  |
|                               | <p>12. There are a number of queries around the number of assessments FSC is requiring.</p>   | <p>Social harms must be identified through independent assessments by qualified assessors coupled with participatory engagement with potentially affected rights-holders and other affected parties, using the FSC P&amp;C and IGI as guiding principles. To avoid replication and reduce costs, such assessments must build on any other assessments being undertaken, including HCV assessments, legally required Social and Environmental Impact Assessments or Human Rights Impact Assessments carried out in accordance with operators' CSR requirements.</p> |
| <p><b>Low priority</b></p>    | <p>1. Queries around third party verification, with some demanding that CB's be enabled to undertake this while other insisting it be FSC.</p>  | <p>FSC Policy on conversion proposes that the Third Party Verifier shall not be the same entity conducting the certification audit in order to avoid conflict of interest.</p>   |



Furthermore, as the result of the implementation of Motion 61/2017, there is a separate process in FSC system that examines threats to the credibility and integrity of the FSC certification assessment system. Further information can be accessed [here](#).

### 3.6 Initial implementation threshold (1)

#### g) Questions posted during public consultation

Question 6: The FSC Conversion Remedy Procedure proposes to follow existing best practice in defining the threshold where an organization may be able to associate or apply for certification. Do you agree with the proposed Initial Implementation Threshold?

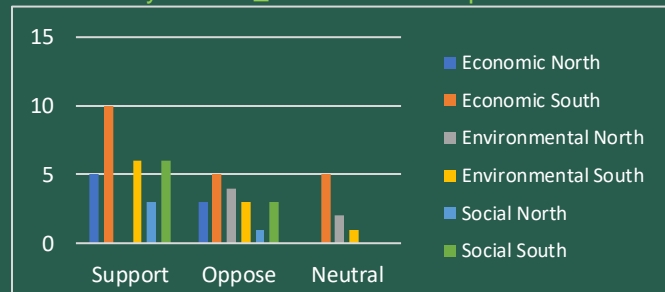
#### h) Quantitative results

##### Quantitative results overview

In total, 86 out of 121 participants voted on this question, and 57 participants are FSC members. General quantitative results are as below:

Support: 49  
 Oppose: 27  
 Neutral: 10

##### Quantitatively results \_ FSC membership



#### i) Qualitative results

##### Summary of qualitative results analysis:

Members requested that the remedy procedure make clear that the “implementation threshold” is not the end goal of the remedy process. Meanwhile, some stakeholders raised the concern that social aspects are not well considered in the initial implementation threshold.

##### Details of qualitative results analysis:

| Priority      | Stakeholder/Membership feedback  | WG conclusion  |
|---------------|--|--|
| High priority | 1. Make clear that the end goal is not the Initial Implementation threshold, and that native recovery process has started, and that the area is developing towards fully recovered native ecosystem state. | TWG revised Part 4 in the remedy procedure and emphasized that the end goal is not the initial implementation threshold where native recovery has started and the aim should be to ensure that the area continues to develop towards a fully recovered native ecosystem state. |
|               | 2. Make sure that the restoration and remedy proposed are in the right trajectory and have made demonstrable progress in implementation before any association with FSC.                                   | TWG revised the definition for initial implementation threshold and separated it into environmental and social threshold.  |
|               | 3. Time frame for initial implementation is too long; success indicators for each step of the restoration for follow-up and  | TWG discussed and agreed that environmental and social indicators and targets identified in the Remedy Plan shall be monitored during implementation. Monitoring reports recording the results of the monitoring of these indicators and targets shall be                      |



|                 |   |  |
|-----------------|---|--|
|                 | demonstrating progress in restoration before the first audit.   | kept and made available during the Third Part Verifier* verification audit.  |
|                 | 4. How will the restitution of social harm caused by conversion be considered in this threshold?  | TWG revised the definition for initial implementation threshold and separated it into environmental and social threshold.  |
|                 | 6. Make clear why the selected natural forest area for compensation must be conserved at a higher and not the same level of the converted area.   | TWG clarified via the definition on environmental initial implementation threshold that where a selected natural forest area is conserved, these conservation attributes should be equivalent or better than the converted area condition at the time of conversion.   |
|                 | 7. Better definition of attributes of the alternative area to be conserved, including minimum size.   | TWG explained the remedy principles for example proportionality, equivalence, etc. in the remedy procedure to outline the requirements for remedy activities and site selection.   |
| Medium priority | 1. FSC needs to consider prohibiting certification of extremely severe conversion, in order to secure FSC's credibility also in the future.   | The comment is relevant to conversion policy and FSC commissioned consultancy Richard Donovan to complete principle 3 in the policy which is relevant to remedy of past conversion. Updates will be provided on policy process page <a href="#">here</a> .   |
|                 | 2. FSC must have clear rules for extremely severe conversion, for example large scale destruction of valuable HCV's in the past.  |  |
|                 | 3. FSC should consider more requirements that should be achieved from organizations in order to get certified, than for becoming associated.  | FSC has several ongoing processes related to conversion, including conversion policy, conversion remedy procedure, policy for association revision, and generic roadmap. FSC is coordinating various processes to ensure conversion is treated in a consistent manner. Further information can be found <a href="#">here</a> . |
|                 | 4. FSC should define clearly how the competent authority will be appointed, based on technical and scientific expertise.  | TWG revised Part 2 of the remedy procedure to clearly explain that 10.3.FSC shall approve a Third Party Verifier based on the expertise required to assess social and environmental harms and plans to remedy these harms.   |
|                 | 5. FSC should have a better definition of harm remedy and harm resolution. Procedures and processes in place to remedy harm do not necessarily mean the resolution of that harm.                | TWG added definitions as suggested, for example on remedy, social restitution, harm, rights, etc.  |
|                 | 6. The entire Organization (not only the parts affected by conversion) must comply with all FSC requirements in all aspects of business (not only with the FSC Policy on Conversion and Remedy) | FSC has several ongoing processes related to conversion, including conversion policy, conversion remedy procedure, policy for association revision, and generic roadmap. FSC is coordinating various processes to ensure conversion is treated in a consistent manner. Further information can be found <a href="#">here</a> . |
| Low priority    | 1. Consider that allowing newly converted forests will damage massively the FSC acceptance and  | The comment is related to FSC Policy on Conversion and please refer to the policy crosswalk <a href="#">here</a> for the latest status of policy development and finalization.   |

will be very contra productive to joint efforts: better communication.

### 3.7 Restorative continuum

#### a) Questions posted during public consultation

Question 7: Considering that priority activities will need to be addressed and the ecosystem needs to be functioning again, is this threshold in the correct place in the restorative continuum?’

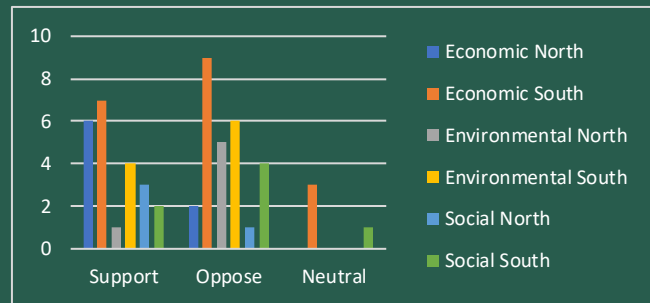
#### b) Qualitative result

##### Quantitative results overview

In total, 83 out of 121 participants voted on this question, and 54 participants are FSC members. General quantitative results are as below:

Support: 37  
 Oppose: 37  
 Neutral: 9

##### Quantitatively results \_ FSC membership



#### c) Qualitative results

##### Summary of qualitative results analysis:

Some members questioned if SER Continuum is the appropriate reference for defining initial implementation threshold, while some requested measurable indicators and verifiers to be integrated across the procedure to assess various aspects of the remedy project.

##### Details of qualitative results analysis:

| Priority      | Stakeholder/Membership feedback  | TWG conclusion   |
|---------------|--|--|
| High priority | 1. Consider is the SER Continuum the right model / infographic - is it actually a continuum model? How does the definition align with the model?                       | TWG adjusted the pictorial demonstration of the initial implementation threshold based on SER continuum, and agreed this is to provide guidance only, and the definition on the threshold shall be referred to during implementation of the procedure. |
|               | 2. Base on the above, consider if we need to introduce indicators / verifiers into the procedure for various aspects of restoration / conservation / restitution, etc. | TWG added the requirements on measurable indicators and parameters across the conversion remedy procedure.   |
|               | 3. Ensure that the procedure is clear that this needs to demonstrate on the ground recovery / conservation and that the commitments are long term in nature.           | TWG added the term and definition on longevity as following: Longevity is defined as a minimum of 25 years and ideally in perpetuity. (Source: FSC-POL-01-007 FSC Policy on Conversion Version 1-0 Draft 3-0)  |
|               | 4. Consider not only remedy of past harm but also protection of future benefits.   | The comment is related to FSC Policy on Conversion and please refer to the policy crosswalk <a href="#">here</a> for the latest status of policy development and finalization.   |
|               | 5. FSC needs to consider that plantations can also have very   |  |





|              |  |  |
|--------------|--|--|
|              | positive impacts on both social and environmental aspects.   |  |
| Low Priority | 1. Consider translations and correct translation of meaning. | FSC will coordinate with translator to ensure accuracy in Spanish version of remedy procedure. |

### 3.8 Initial implementation threshold (2)

#### j) Questions posted during public consultation

Question 8: In order to make sure the intent and language for initial implementation threshold is clear, could you please describe what your understanding of the Threshold is?

#### k) Qualitative results

| Summary of qualitative results analysis:  |   |   |
|---|---|---|
| Members and stakeholders requested further clarifications around the threshold, particularly for concrete indicators and verifiers. Meanwhile, some respondents felt the threshold only focuses on restoration, without considerations for other remedy activities, e.g. conservation, social restitution, etc. |   |   |
| Details of qualitative results analysis:  |   |   |
| Priority  | Stakeholder/Membership feedback   | WG conclusion   |
| High priority   | 1. Initial Implementation Threshold should not be the end goal but the full recovery of the native ecosystem. Should be highlighted more clearly.   | TWG revised Part 4 in the remedy procedure and emphasized that the end goal is not the initial implementation threshold where native recovery has started and the aim should be to ensure that the area continues to develop towards a fully recovered native ecosystem state.  |
|   | 2. Concept and definition of threshold should be carried out by experts both in the field of ecosystem restoration and in the social sphere; in the latter case based on international human rights standards, ILO Conventions, and should provide for the application of CLPI. Some positive approaches to the proposal should be taken up, as mentioned in point 10.2, 10.7.  | TWG revised the implementation threshold and separated into environmental and social thresholds. Meanwhile, references like <a href="#">Community Land Protection Initiative</a> can be considered as one of the tools in practise.   |
|   | 3. Defining thresholds becomes subjective when trying to evaluate compliance. Keep the process simple and logical. 1) Define negative impacts that need to be restored / compensation / restitution (required assessments FSC STD 01-001 Environmental; Social; HCV ) 2 Planning of scheduled actions (remedy plan) agreed with local communities (FPIC) and other stakeholders as appropriate 3 implementation of remedy plan monitored by CB based on scheduled activities / actions. | Part 2 in the remedy procedure requires the development of baseline assessment which will be used to demine the harm caused by conversion. Based on the results of the baseline assessment, site selection and remedy activities will be decided in consultation with affected rights holders and other relevant affected stakeholders. Part 3 and 4 outlines requirements for development and approval of concept note and remedy plan, while Part 5 describes the implementation of the remedy plan. Lastly, part 6 is around the monitoring mechanism for the implementation of the remedy plan. |
|   | 4. Needs to have evidence of native ecosystem recovery and social harms being resolved. Needs to include the key  | TWG agreed that previous conservation, restoration or social restitution actions shall be identified in the baseline assessments and they   |





|                             |  |   |
|-----------------------------|--|---|
| <p><b>High priority</b></p> | <p>principles of restoration including FPIC, proximity (in the landscape), equivalence, additionality (Additionality is not clarified in the procedure), permanence, etc.</p>  | <p>may be considered in the Remedy Plan upon compliance with the requirements of additionality* for those actions. The additionality is defined as following:</p>   |
|                             | <p>5. Important to consider the concept of additionality (7.3, Policy on Conversion draft 2) to make a clear differentiation between what the organization shall do because of the legislation and what it shall do to compensate for its conversions. Moreover, compensation means conservation, restoration, and social remediation/restitution. Organization will opt for conservation because it is easier and cheaper. How will FSC avoid it, in order to also explore its full potential in restoration? On the other hand, we understand that the conservation of standing forests can avoid deforestation and provide more social and economic benefits to communities than restoration. So, we suggest the TWG evaluate this issue in order to clearly define when restoration shall be done over conservation.</p> | <p>a) Additionality outside the Management Unit*: conservation* and/or restoration* outcomes over and above those already achieved or planned to be achieved, and that would not have been achieved without the support and/or intervention of the organization.<br/>Projects must either be new (i.e. not already being implemented or planned), amended or extended so that conservation* and/or restoration* outcomes are enhanced beyond what would have been achieved, or planned or funded to be achieved without the organization planning to remedy* for historical conversion.<br/>b) Additionality inside the Management Unit*: conservation* and/or restoration* outcomes above and beyond those required by the applicable FSC Standards. (Source: FSC-POL-01-007 FSC Policy on Conversion Version 1-0 Draft 3-0)</p> |
|                             | <p>6. Threshold should be based on a clear set of metrics, which provide a measurable, repeatable and verifiable basis for the "Implementation Threshold". Should be globally consistent and NOT subject to interpretation at national or regional interpretation!</p>   | <p>TWG added requirements in the second draft procedure that measurable indicators (area and properties of ecosystem attributes* or social values that should be restored and / or conserved) for monitoring according to the expected recovery trajectory indicating that the Remedy Plan is achievable within the timelines. This shall include benchmarks for annual monitoring. One or more indicators is required for each activity.</p>   |
|                             | <p>7. Threshold confusing. If natural recovery (regeneration) potential is assessed (without further external assistance) a verification audit could be performed. This criterion is relaxed for the benefit of the certification candidate. There is doubt how it is ensured that at this point after verification has been carried out by the Competent Authority and shown as the remediation (restoration) process will continue.</p>  | <p>TWG revised Part 4 in the remedy procedure and emphasized that the end goal is not the initial implementation threshold where native recovery has started and the aim should be to ensure that the area continues to develop towards a fully recovered native ecosystem state. Besides, if the organization has achieved Forest Management certification, ongoing implementation of the Remedy Plan shall be assessed as part of the annual certification surveillance audits by the responsible certification body.</p>   |
|                             | <p>8. The procedure MUST provide for a point where the objective has been reached. Instead of seeking to ascertain progress of a process or implementation, a threshold linked to a conservation outcome is a simpler and better way to determine compliance (or progress).</p>  | <p>For environmental remedy, the conservation and / or restoration reference models and ecosystem attributes, will be used to set remedy targets and objectives, and TWG agreed that the initial environmental implementation threshold shall be "native recovery potential" and it is directly linked to the objectives of remedy plan.</p>  |



|  |   |  |
|--|---|--|
|  | <p>Therefore, I support a threshold linked to achievement of the objective, or progress towards it.</p>   | <p>For social remedy, the identification of social restitution actions will be used to set remedy targets and objectives. TWG agreed to add initial social implementation threshold which is linked to the completion of resolution for priority conflicts.</p>  |
|  | <p>9. FPIC should be mandatory in any case, not only for high priority activities.</p>  | <p>TWG adjusted the principles to provide clarification on the requirements to redress for identified social harms through an FPIC-based process throughout the remedy process.</p>  |
|  | <p>10. The Acceptable Threshold should have a clear set of parameters. Ecosystem restoration should be the establishment of key functions of the forest-type ecosystem within the FMU critical for the recovery of native ecosystems of the same type in the same location.</p>                 | <p>The remedy procedure draft 2-0 requires that remedy action shall demonstrate that the sites selected or social remedy are proportionate* to the scale* and as a minimum shall be equivalent* and proportionate* to the harm caused by the conversion*. Demonstrating that remedy is proportionate* and equivalent* requires organizations to:</p>   |
|  | <p>11. Implementing actions to achieve the path to natural forest recovery. I am concerned that something that is not fully defined, such as the CLPI' only method for remediation practices, will be the only one, and it is not the only one that is now the clearest and most efficient.</p> | <p>The conversion policy indicates that the ultimate responsibility for the plan, implementation and delivery of conservation outcomes and social benefits shall rest with the organization. The TWG does not want to include prescriptive requirements on the exact remedy method to be undertaken by organization, but rather to establish high-level principles for the remedy process.</p> |
|  | <p>12. What was included as threshold is very conceptual and not clear in terms of measuring but most important in terms of implementation. Could this be perceived as a group of activities with good intentions to transform what was destroyed in the past?</p>                              | <p>The second draft procedure added the requirements on measurable indicators and parameters to assess and monitor the implementation of remedy plan and the compliance against initial implementation thresholds for social and environmental remedy.</p>   |
|  | <p>13. if the implementation of the preservation is considered as a threshold, a lot of confusion is generated when other misunderstood approaches are mixed.</p>   | <p>The remedy procedure clarifies that environmental remedy action shall consist of restorative activities, reforestation, enhancement, preservation, conservation, substitution, including any or all of them. In all cases, the initial implementation threshold for environmental remedy shall be "native recovery potential".</p>  |
|  | <p>14. The "threshold" of an implementation "threshold" in the restitution and remediation of social damage is not clear and/or how it is defined.</p>  | <p>TWG agreed to separate initial implementation threshold into environmental and social thresholds, and for social threshold, it is when social harm has been remediated through the agreement of a remedy process and priority activities have been completed.</p>   |
|  | <p>15. "exchange" does not consider at all how the remediation of the social damage caused by the conversion will be made.</p>  |  |
|  | <p>16. Need to be clear that conservation, and/or manage these forests also need to be left in terms of P&amp;C requirements.</p>   | <p>The second draft remedy procedure emphasize that remedy goals, objectives and action are consistent with the FSC Mission and normative framework, including FSC P&amp;C requirements.</p>   |



|                        |   |   |
|------------------------|---|---|
|                        | <p>17. The initial deployment threshold is important, as it is required to apply for certification or association. It is not clearly defined in the text of the procedure; it can be assumed that it is related to "priority activities", site selection, "priority conflicts", the initial implementation phase, but it is distressing that it is not defined with the required rigor.</p> | <p>The second draft remedy procedure included the requirements for measurable indicators, thresholds for assessing the compliance with initial implementation threshold for environmental and social remedy.</p>  |
| <p>Medium priority</p> | <p>1. Is there any formal onsite verification of implementation of the remedy plan between approval by CA and verification audit to assess achievement of initial implementation threshold? This could take several years. Should monitoring by CA happen annual to verify Org is on track and progressing towards initial threshold and identifying NCs?</p>                               | <p>The second draft remedy procedure requires that clear timeline to be presented in concept note and remedy plan and is being implemented in consultation with affected rights holders. Meanwhile, measurable indicators (area and properties of ecosystem attributes or social values that should be restored) for monitoring according to the expected recovery trajectory indicating that the Remedy Plan is achievable within the timelines.</p> |
|                        | <p>2. Remedy plan to set initial implementation threshold which requires definition and characteristics to be described.</p>  | <p>TWG agreed to separate initial implementation threshold into environmental and social thresholds, and for social threshold, it is when social harm has been remediated through the agreement of a remedy process and priority activities have been completed. Additional definitions provided to clarify the thresholds.</p>   |
|                        | <p>3. Implementation Thresholds: To set ecological outcomes as a threshold for when a company can apply for certification would depend on what remedy objective has been set. Therefore, an ecological threshold would not be related to implementation, but to achieving "a thriving population of 60,000 voles" or whatever the restoration plan's objective was.</p>                     | <p>The second draft remedy procedure requires measurable indicators (area and properties of ecosystem attributes or social values that should be restored) for monitoring according to the expected recovery trajectory indicating that the Remedy Plan is achievable within the timelines.</p>   |
|                        | <p>4. Unclear if when the restoration threshold is reached, can the whole area be certified or only the initial restored portion.</p>   | <p>TWG to re-visit this during the development of indicators.</p>   |
|                        | <p>2. Unclear if ecosystem function needs to be fully recovered or under recovering process. Also consider situations where full recovery is not possible.</p>  | <p>TWG emphasized in the second draft procedure that the end goal of remedy is to ensure that the area continues to develop towards a fully recovered and resilient natural forest condition and affected rightsholders and affected stakeholders agree that harms caused have been remediated.</p>   |
|                        | <p>3. it is necessary to give examples, if not in the normative document, to have quickly on a guidance that goes from theory to practice with case studies in different types of forests</p>   | <p>TWG agreed to provide examples on indicators for measuring remedy project implementation to SDGs which can be interpreted in regional and national context.</p>  |



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|  | <p>(tropical/temperate/boreal), HCV/plantations. For example, for a temperate forest, it would be necessary to reach a real stand (&gt; 15 years), in which an assessment of the naturalness of the stand can be made by noting criteria such as the specific composition of the canopy (and the percentage of indigenous species), the restoration of vertical stratification, the carrying capacity of the environment for the HCV species located nearby, etc.</p> |   |
|  | <p>4. The concept of " SELECTED NATURAL FORESTS " is not clear. Does TWG imply that an alternative site of this type shall be offered for ecological restoration? If so, then the proposal is full of risk as Co may select an area, which may not need much restoration. A remedy plan shall be implemented on the converted site. Thresholds shall also be viewed in the converted area.</p>  | <p>M7 WG believe in some cases, it may not be possible or efficient to conduct the remedy project in the converted area, thus the remedy procedure outlines a set of criteria for the site selection of the remedy project, for example: site selection shall demonstrate that sites selected can meet the definitions of additionality and longevity to existing conservation* and restoration requirements. Site selection for remedy action shall be based on producing maximal conservation and social benefits, considering affected rights holders and / or affected stakeholder input.</p>   |
|  | <p>5. "to such an extent that" implies is that that point will be defined for each case... This is okay, but my lead to interpretation issues, especially of the certification bodies.</p>  | <p>The definition for native recovery potential mentions that "capacity of ecosystem attributes to return through natural regeneration to a site that has been degraded. Degree of this potential in a degraded ecosystem will depend on the extent and duration of the impact and whether the impact resembles those to which the ecosystem's species have adapted over evolutionary time frames." – TWG revised the pictorial demonstration of this threshold to emphasize that this could be any point within the native recovery column depending on the nature of various remedy projects.</p> |

**3.9 General comments (1)**

**a) Questions posted during public consultation**

Question 9: Do you have further comments on the first draft of FSC Conversion Remedy Procedure Version 1-0 Draft 1-0?

**b) Qualitative results**

| Priority | Stakeholder/Membership feedback  | WG conclusion   |
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|          | <p><b>General comment:</b><br/>Offers template of the remedy plan to show what are the key elements to be covered.</p> | <p>TWG incorporated minimum requirements for concept note or remedy plan in second draft remedy procedure, but TWG or FSC cannot provide template of concept note and remedy plan, etc. as FSC or CBs shall not develop</p> |



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|   | anything that will be part of the conformance check/audit.  |
| <p><b>Reference document:</b><br/>If FSC-PRO-30-006 Ecosystem Services Procedure: Impact Demonstration and Market Tools is going to be used to demonstrate the positive impacts of the remediation and implemented in the monitoring section, please add it to the references doc list.</p>   | The second draft remedy procedure included FSC-PRO-30-006 Ecosystem Services Procedure under reference document.  |
| <p><b>Introduction section:</b><br/>1. The last sentence in the introduction should say "...remedy harm to natural forests and the people that depend on them."<br/>2. Introduction, final paragraph: There is not necessarily a link between the first and second part of this sentence. The first part could be deleted.</p>  | TWG revised the last sentence as suggested.   |
| <p><b>Further comments on Baseline assessments:</b><br/>1. If the company stops implementation of the Remedy Plan - There may have passed enough time and significant changes in the baseline scenario. Besides, a lot of the information included on the baseline assessment, will be available only qualitatively and in some cases not at all. The probability of receiving the components of this assessment will not be high and baselines will probably not be uniform.</p> | TWG agreed that where the organization stops or terminates the implementation of the Remedy Plan and later applies to resume the process, they shall re-start the process at the stage of re-submitting the Concept Note (Part 3 of this procedure) to address changes that may have occurred. Where no material changes have occurred, confirmation of re-starting of the process shall be sent to the Third Party Verifier* for approval and shall include the agreement of rights holders. |
| <p>2. what is the scope that needs to be mapped? Is it just area within FMU seeking certification that was converted post 94? Or is it any forest conversion conducted by the Org since 94? For companies with PfA nonconformance related to significant conversion, do they need to restore equivalent of all converted areas since 94? Do they need to restore an area such that they would be low the PfA threshold of significant conversion?</p>                             | The area to be mapped is any forest conversion the organization directly or indirectly involved in.   |
| <p>3. "...giving the size of the conversion" is unclear. Does this mean establishing the size of the conversion(s)?</p>   | TWG revised Part 2 baseline assessment and clarified requirements on identification and mapping of converted area under Clause 3. Please refer to second draft of procedure for details.  |
| <p>4. It would only be possible to evaluate the biodiversity of an area at the time of the conversion if there were scientific studies</p>  | TWG requires organizations to conduct identification of conservation and / or restoration reference model and ecosystem attributes  |



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| <p>characterizing the flora and fauna of that area in that given moment. These studies are scarce in most parts of the world. It is operationally difficult to define the historical state of environmental values at the time of conversion.</p>  | <p>(ecosystems or habitat* that were lost and should be restored or conserved) and use the results to set remedy targets and objectives. The reference model aims to characterize the condition of the ecosystem as it would be had it not been converted, adjusted as necessary to accommodate changed or predicted change in biotic or environmental conditions (e.g. climate change).</p>   |
| <p>5. Critical to framing the restoration effort, and usually requires an additional skillset from that required for a baseline assessment. Experts on assessing land use, biodiversity, social conditions and the impacts upon these are not the same experts needed to formulate remedial actions. Accepted practice in restoration planning to constitute different partner/consultant teams to conduct the baseline assessments, and the identification of restoration sites and actions. Recommended that Clause 5 is stipulated as a sequential step from the analysis of the baseline and may involve a separate process.</p> | <p>In the second draft procedure, TWG clarified the role of “independent assessor” and “third party verifier” as the skills and expertise required for conducting baseline assessment and assessing remedy project can be different. Meanwhile, TWG re-structured Part 2 baseline assessment to clearly lay out the sequential steps following the baseline assessment/s.</p>  |
| <p>6. 5.1: difficult to assess/ open to interpretation.</p>  | <p>TWG provided further requirements under Part 2 baseline assessment to outline the assessment criteria for the selection of remedy site/s and activities. Please refer to second draft of procedure for details.</p>   |
| <p>7. 5.1 – If not the actual area that was converted, do sites selected for restoration have to be as degraded as the area converted? 5.2 Should be explicit and clear that the Remedy Action must be in line with Principle 6 of the IGI or NFSS where the restoration or rehabilitation of ecosystems is directed towards more natural conditions such as the natural conditions before being converted.</p>  | <p>TWG added the requirements that the Organization shall demonstrate that sites selected meet the definitions of additionality and longevity to existing conservation and restoration requirements. Definition of additionality for off-site remedy is as the following:<br/>Conservation and/or restoration outcomes over and above those already achieved or planned to be achieved, and that would not have been achieved without the support and/or intervention of the organization. Projects must either be new (i.e. not already being implemented or planned), amended or extended so that conservation and/or restoration outcomes are enhanced beyond what would have been achieved, or planned or funded to be achieved without the organization planning to remedy for historical conversion. Thus the focus of the site selection is not on how degraded the site it, but on if the site selection and remedy activities can achieve meet the requirements on additionality, longevity, and if it can maximize the outcomes of conservation, restoration and restitution activities.</p> |
| <p>8. 5.5.b) Reference best practice methodologies mentioned.</p>  | <p>TWG agrees not to establish prescriptive requirements on which methodology shall be</p>   |





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|  |  | <p>used by organization. The organization shall evaluate and decide which methodology to use and include it in the baseline assessment report for the review and verification of third party verifier.</p>   |
|  | <p>9. 5.6.) Site selection guidance required based on proportionate area, land tenure &amp; partnerships.</p>  | <p>TWG modified the procedure accordingly. Please refer to Clause 9 and its sub-clauses for details.</p>   |
|  | <p>10. Points like 5.3, 5.5, 5.7, should be defined correctly, establishing differences for social and environmental issues; it is a mistake to use the same criteria. It is insisted that it is complex to define the scale or determine that it is proportional and equivalent to the social impacts caused; hence that additionality might be appropriate; of course the application of CLPI is essential if it comes to determining "equivalence.</p>  | <p>TWG revised the procedure accordingly, to separate baseline assessment into environmental and social baseline assessments and adjusted the assessment criterion accordingly.</p>  |
|  | <p>11. what does forest condition status refer to if not successional stage or level of degradation (these are listed separately).</p>   | <p>TWG provided further clarification on forest condition status in the second draft procedure: Forest condition status (cover and use would be considered as the minimum parameters required) including levels of degradation and degradation drivers, biodiversity, ecosystem attributes* environmental values, successional phase (based on National FSS guidance; Natural Forest definition of primary and secondary forests);</p> |
|  | <p>12. Ecosystem services require calculation, especially if you want to generate a baseline and then measure quantities of services lost. Though some modelling systems can comply with this request for a few select services (e.g. carbon sequestration), this will likely be difficult in practice.<br/>13. Tenure and use right are often difficult to acquire even today in many places in the world and requiring the historical context may be even trickier. E.g. what was the tenure and use rights of a parcel of forest in Rwanda in 1995?</p> | <p>12 and 13. TWG appreciates the comments and has revised the relevant sections in the procedure.</p>   |
|  | <p>14. "Forest condition status, biodiversity, environmental values, successional phase"<br/>→ It is not possible to assume that the converted area is still a forest, according to the conversion threshold. (Forest condition tool would be a useful appendix including a general description of what constitutes a primary, secondary and degraded forest.)</p>   | <p>14. TWG revised the procedure based on the comment under the baseline assessment of current state of the area within Management Unit, instead of "forest condition status (D1-0)", it is now "land cover and use by area and management classification.(D2-0)"</p>  |





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| <p>15. Suggest replacing all parties engagement (local stakeholders, experts &amp; acceptance) through public consultation in the same way it is carry out in HCV areas and recertification process, which facilitates stakeholder consultation.</p>  | <p>The conversion policy requires organization to provide redress for identified social harms through an FPIC-based process with the affected rights holders for agreeing redress for all social harms. Public consultation though can be effective in collecting feedback, but it can not replace FPIC process which provide affected rights holders the right to grant, modify, withhold or withdraw approval.</p> |
| <p>16. Consultation on the Remedy Plan: needs to be with interested as well as affected stakeholders. This was the approach taken for the APP roadmap process. Don't see any justification for only 'affected' stakeholders.</p>  | <p>TWG agreed to add that the Remedy Plan shall be agreed (using the FSC Implementation of the Right to Free, Prior, and Informed Consent (FPIC) FSC-GUI-30-003) in consultation with affected rights holders*, considering the input of affected stakeholders*, interested stakeholders* and experts prior to submission.</p>   |
| <p>17. replace emphasis on stakeholders, experts &amp; acceptance through consultation through advisory panel which facilitates stakeholder consultation. Procedure could also place some requirements onto the organization to utilize the existing stakeholder engagement processes &amp; procedures. Consultation is relevant for the remediation but less so for the baseline assessment.</p>   | <p>TWG clarified the roles of affected rights holders, affected stakeholders, interested stakeholders and experts in the second draft of the conversion remedy procedure.<br/>TWG look forward to hearing feedback from stakeholders and members on if the roles and responsibilities of independent assessor and third party verifier are clear in the second draft procedure.</p>                                  |
| <p>18. Possibility of retrospective community rights – This is dangerous as it may nullify past legal agreements and add significant burden and cost to certification. A mutually acceptable complaints process should be followed and where a complaint has been closed, this must be recognized as final and cannot be re-opened again in the future. Also, it must be recognized that certificate holders are complying with country laws within which they operate. Sovereign rights and laws must take precedence over FSC. A mutually agreed complaints procedure should be followed and where a complaint has been closed, it must be recognized as final and should not be re-opened again in the future. Domestic rights and laws must take precedence over FSC.</p> | <p>The second draft conversion remedy procedure requires that social remedy shall consist of agreed processes (using the FSC Implementation of the Right to Free, Prior, and Informed Consent (FPIC) FSC-GUI-30-003) with affected rights holders*. Meanwhile, TWG agreed that existing agreements need to be respected and honored.</p>   |
| <p>19. FPIC is only applicable if the affected stakeholders are indigenous people and traditional communities (not all affected stakeholders hold the right of FPIC). Necessary to address situations where the holder-rights have contradictory interests about the recovery of the converted area. In these cases, a possible veto may go</p>   | <p>TWG has modified the relevant sections of the procedure in an attempt to capture these concerns.</p>  |

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| <p>against the purpose of this procedure. Understand that affected stakeholders need to be consulted during the development of the baseline assessment; engaged during its analysis; and agree with the environmental and social harms caused by the conversion.</p>   |  |
| <p>20. Remediation should not be possible on a national scale but in the same forest basin. How can this work in countries the size of a continent like Australia, Canada, USA and Brazil? Again, what can be technically justified is difficult to communicate.</p>   | <p>TWG acknowledge that there is a need for better indicators and based on the ability of remedy to demonstrate a higher level of social and environmental values through offsite restoration where compared to onsite restoration. The ultimate outcome is affected rights holders' agreement on remedy actions to address to identified harms or restoration plan developed by specialists showing like for like benefits for an offsite remedy proposal.</p>  |
| <p>21. Past assessments (Environmental and Social) pertaining to the area must be considered as part of the Conversion assessment to avoid duplication and additional costs Past Remedies (Environmental and Social) pertaining to the area must be considered as part of the Remedy assessment to recognize past spend and redress already provided Additional External assessments, remedy and monitoring will affect the business case for African forestry and the survival of the industry, so these must be simple, reasonable and kept to a minimum.</p>  | <p>The second draft remedy procedure includes the following requirement:</p> <p>Where the organization has already undertaken assessments prior to implementing this procedure, the Remedy Procedure assessments should build on these assessments. Previously conducted assessments may include, but are not limited to, HCV assessments, legally required Social and Environmental Impact Assessments, Due Diligence Assessments, Human Rights Impact Assessments carried out in accordance with operators' CSR requirements.</p>  |
| <p>22. Level of effort and resources required to determine quality of state prior to conversion could be separated into different time periods. Challenging to define 'state' in retrospection. eg. technology used in 2020 for mapping is significantly improved from 1995. The requirement to identify potentially affected stakeholders and biodiversity from 20 years ago is not realistic in the procedure, these studies are scarce in most parts of the world. It is operationally difficult to define the historical state of environmental values at the time of conversion. Baseline assessment is subjective, and all based on 'probability' with requirements that are beyond the scope of conversion. Specific categories to be analyzed in the baseline assessment are broad and unrealistic such as livelihoods, environmental values and the qualitative assessments. Guidance required to deal with lack of historical data to establish a reasonable baseline.</p> | <p>TWG believes there are enough tools (In Brazil, for instance, NGOs have made available a tool called MapBiomias, with which one can check for past deforestations of every small piece of land, in the whole country since 30 years ago) and satellite images, etc. to be able to determine the state prior to conversion. Meanwhile, TWG agrees that technical guidance on baseline assessment process could be helpful. Following the 2<sup>nd</sup> consultation, TWG will discuss if to develop a guidance document along side the remedy procedure to provide further technical guidance.</p> <p>Meanwhile, FSC commissioned a consultancy to develop baseline assessment for Asia Pacific Resources International Holdings Ltd. Group (APRIL) and the information is available <a href="#">here</a>. TWG will learn the experience and lessons from GRM baseline assessment projects and discuss how to incorporate these learnings in the conversion remedy procedure.</p> |



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| <p>23. Adequate reference models may no longer exist - How would this be addressed?</p>   | <p>TWG discussed that at the broad level of the forest classes the procedure has included (Annex 3), models should exist in reality and in literature. Furthermore, in Society for Ecological Restoration (SER)'s Principles and Standards for Ecological Restoration document there is a guidance for the definition of "reference models" in the situations nearby adequate reference models no longer exist.</p>   |
| <p>24. It is operationally difficult to define the historical state of environmental values at the time of conversion. Baseline assessment is subjective, and all based on 'probability' with requirements that are beyond the scope of conversion. Specific categories to be analyzed in the baseline assessment are broad and unrealistic such as livelihoods, environmental values and the qualitative assessments. Guidance required to deal with lack of historical data to establish a reasonable baseline.</p>                                       | <p>TWG provided further clarifications under part 2 for environmental baseline assessment. TWG looks forward to receiving further suggestions on part 2.</p>  |
| <p><b>Grievance Mechanism</b></p> <p>1. 3.3. Will there be a grievance mechanism for stakeholders so that they can express themselves satisfied by the process?</p> <p>2. Consider that there needs to be an internal dispute resolution mechanism with the organizations remedy plan (as well as external [FSC] mechanism)</p> <p>3. There needs to be two grievance mechanisms mentioned in the procedure, the first is a grievance mechanism for each process between the organization and other parties, the second is the FSC Grievance mechanism.</p> | <p>The second draft conversion remedy procedure added the following requirements on grievance system:</p> <p>The organization shall establish a culturally appropriate* documented grievance mechanism for affected stakeholders*, and affected rights holders* prior to the baseline assessment. The Grievance Mechanism shall:</p> <ul style="list-style-type: none"> <li>a. include written procedures, methodologies and a structure for providing access to grievance resolution during the remedy process;</li> <li>b. have a clear, transparent structure;</li> <li>c. ensure that its outcomes and remedies meet internationally recognized human rights standards and FPIC processes;</li> <li>d. ensure relevant affected stakeholders* are aware of and informed appropriately about the grievance mechanism and its use in practice;</li> <li>e. ensure records are kept of grievances, indicating timing and status of response to grievances;</li> <li>f. provide for dialogue and engagement, focusing on processes of direct and if needed mediated dialogue to seek agreed solutions, leaving adjudication to independent third-party mechanisms, whether judicial or non-judicial; and where necessary, be reviewed and revised.</li> </ul> |
| <p><b>Development of remedy plan</b></p> <p>1. Remedy Plan Summary, define the summary's minimum content to ensure</p>  | <p>The second draft procedure included considerations for confidential matters in the concept note and remedy plan. E,g, the procedure requires that the organization shall</p>   |



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|  | <p>transparency as well as respect for confidential matters.</p>   | <p>make the approved Concept Note, excluding Confidential Information*, Publicly Available* free of charge.</p> <p>Meanwhile, TWG agreed to outline the minimum content for remedy plan summary under part 4 of the procedure. Please refer to the draft procedure for details.</p>   |
|  | <p>2. proposed 8.3 to be approved only by affected stakeholders and relevant experts as necessary to avoid complexity of multiple layers of approval. Affected stakeholders in this context also need to be narrowed down based on the stakeholder mapping that will be done as part of the process.</p> <p>3. What other type of stakeholders have to approve the plan other than affected stakeholders and experts. As written, it is too broad – basically any stakeholder could veto the plan. What if there are individual stakeholders who do not approve? What about stakeholder groups that have conflicting interests with each other (e.g. environmental vs social interests) and both are legitimate? How would this be resolved?</p> | <p>TWG clarified in the second draft of the procedure that social remedy shall consist of agreed processes (using the FSC Implementation of the Right to Free, Prior, and Informed Consent (FPIC) FSC-GUI-30-003) with affected rights holders* to remedy priority social conflicts as part of the initial implementation and to develop remedy processes for remedy of all social harm caused by the conversion.</p>   |
|  | <p>4. Who determines what is feasible (in terms of resources to achieve remedy plans) and how are the different aspects weighted in this decision?</p>   | <p>The organization shall select the remedy action based on affected rights holders* and / or affected stakeholder* and experts input related to maximizing conservation* outcomes and social benefits. The proposed remedy plan then requires peer review and approval by Third Party Verifiers.</p>   |
|  | <p>5. The Remediation Plan should include short-, medium- and long-term planning and what needs to be evaluated in the follow-up by the competent authority or the CB.</p>   | <p>Under Part 3 concept note of the second draft procedure, it requires organization to develop estimated full implementation time of remedial actions which shall include short, medium and long terms goals of the remedy plan. This will be evaluated by the Third Party Verifier as a essential component of the concept note.</p>  |
|  | <p><b>Development of remedy plan</b></p> <p>1. Outcomes to be identified in the baseline report do not seem to be used in the later stages for developing remedy plan.</p> <p>2. There is no clear link between the end of the Remedy procedure and the beginning of certification. It would be good to include specific requirements for main certification audits with a remedy process to evaluate the credibility of the remedy plan's implementation.</p>   | <p>TWG clarified in the second draft procedure that based on the approved concept note and baseline assessment, the organization shall develop the Remedy Plan that demonstrates that the harm caused by the conversion* will be remedied by the organizations planned actions.</p> <p>TWG clarified in the second draft procedure that the Third Party Verifier* shall conduct annual verification audits to verify ongoing conformity with the remedy procedure until affected rights holders*, affected stakeholders* and experts agree that the harm caused by the conversion* has been sufficiently remediated as defined in</p> |



Medium priority

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|  | <p>the Remedy Plan and where the organization* has achieved Forest Management certification, ongoing implementation of the Remedy Plan shall be audited as part of the annual certification surveillance audits by the responsible certification body. This shall include any offsite remedy areas of the organization.</p>   |
| <p><b>Monitoring</b></p> <p>1. Development of monitoring indicators?<br/>2. The Procedure provides no objective metrics by which auditors or other reviewers of the proposed plans and the Organizations can meaningfully evaluate the adequacy of proposed compensation and forest restoration. No specific amount or quality of in-the-forest outcomes is required, even at future dates when restoration results can be expected, nor are specific in-the-forest outcomes addressed more generally.</p> | <p>TWG has consider this and modified the relevant sections to indicate that there needs to be defined, goals, objectives and targets with relevant indicators to monitor the implementation of the remedy against these. These should also be time bound to enable monitoring.</p>   |
| <p>3. How to measure success towards the goals of this procedure. Baseline assessment and the evaluation of reaching the Initial Implementation Threshold are both highly ambiguous steps. Focus on monitoring that is open and transparent. This requires the development of common procedures.</p>   | <p>TWG has highlighted the importance of participatory monitoring of the implementation of remedy plan. E.g. the second draft procedure requires that during the implementation of the Remedy Plan, the organization shall continue the engagement with affected rights holders*, affected stakeholders* and experts to ensure that the process is implemented in a demonstrably transparent way.</p>   |
| <p><b>Audits</b></p> <p>1. Improve the transparency of the auditing process and its results.</p>   | <p>As the result of the implementation of Motion 61/2017, there is a process in FSC system that examines threats to the credibility and integrity of the FSC certification assessment system. Further information can be accessed <a href="#">here</a>.</p>   |
| <p>2. Risks the PRO in terms of credibility and transparency. It allows that the Remediation Plan, approved and prepared with the involvement of affected stakeholders and specialists, ends up changed during its course. The Competent Authority would be the only one evaluating this. What about minor changes? What is a minor and a major change? Who would "monitor" this?</p>  | <p>The second draft conversion remedy procedure clarified that where the organization makes changes (no matter major or minor changes) to the Remedy Plan prior to its full implementation, changes shall be submitted to the Third Party Verifier* for review and approval prior to implementing these changes.</p> <p>Furthermore, TWG emphasized participatory monitoring of the implementation of the remedy plan where affected rights holders and affected stakeholders are involved in the monitoring process.</p> |
| <p>3. Audits should be carried out until the outcomes defined in the Remedy Plan are met. Affected stakeholders and the experts were broadly engaged throughout the development of the baseline assessment and Remedy Plan itself. Their expectations regarding the outcomes are already clear</p>   | <p>The second draft conversion remedy procedure separates the initial implementation threshold into environmental threshold and social threshold, and the social threshold is defined as the following:</p>   |





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|   | <p>in the Remedy Plan. This is related to the lack of a tangible threshold to assess the fulfilment of the social results (restitution) of the Remediation Plan.</p>   | <p>Social harm is being remediated through the agreement of a remedy process and priority activities* have been completed.</p> |
| <p>4. Does it always make sense to have annual audits? in certain cases it may be known from the start that it will take a few years, in such cases would it be fairer to have a lower frequency of audits?</p>   | <p>TWG agreed that for initial implementation it may not be necessary to have annual audits (case by case needs to be considered) and this would be agreed by the Third Party Verifier. once certified annual audits are a certification requirement.</p>  |  |
| <p>5. Why has the clause from 20-007 related to evaluating and closing NCs been used instead of the current valid clause from 20-001 v4-0 which supersedes the clause in 20-007?<br/>Independence should be assured through financial arrangements which separate the assessor from the organization.</p>   | <p>TWG appreciates the comment and have revised the procedure accordingly.</p>   |  |
| <p><b>Third Party Verifier</b><br/>1. This is too much bureaucracy. Experts were already involved in the following steps: construction of the baseline assessment (3.1); analysis of the baseline assessment (4.3 and 2. 4.4); selection of sites to be remedy (5.1); type of remedy action (5.9); definition of the priority activities (5.10); and approval of the remedy plan (8.3). Therefore, there is no need for a peer review here.</p> | <p>This is a requirements from conversion policy (“verification and approval of Remedy* Plans, including submitting these plans for peer review by external social and environmental experts”). TWG believes that the remedy plan lays out a substantial investment and should be carefully scrutinized by specialists via the peer review process. The TWG appreciates this input, but also needs to balance this against the concerns raised by other stakeholders.</p>  |  |
| <p>2. Clarify the role of the third party verifier - maybe new policy version can provide clearer guidance.</p>   | <p>The latest draft conversion policy clarifies the role of Third Party Verifier as following:<br/>7.9.1 Third Party Verifiers* shall verify compliance of remedy* processes, including:</p> <ul style="list-style-type: none"> <li>a) verification and approval of baseline assessments of harms caused by conversion*</li> <li>b) verification and approval of Concept Notes to develop Remedy* Plans,</li> <li>c) verification and approval of Remedy* Plans, including submitting these plans for peer review by external social and environmental experts,</li> <li>d) verification of implementation of the plan to the level of the Implementation threshold,</li> <li>e) verification of ongoing monitoring of compliance with implementation of the remedy* process,</li> <li>f) reporting to FSC on the initial compliance of organizations* in an FSC remedy* process.</li> </ul> |  |
| <p>3. The Competent Authority (CA) is proposed as the approval body for the concept note and Remedy plan. That a new body or role has been proposed is indicative of how important this role is to the acceptance of the procedure. It is</p>   | <p>TWG appreciates the comment. The conversion remedy procedure only covers the essential assignment of the Third Party Verifiers instead of outlining the comprehensive accreditation requirements. In order to implement the remedy procedure, there shall be separate accreditation</p>   |  |



essential that the Competent Authority is:

- 1) recognised by all as independent and distinct from the body which evaluates implementation. The recently released Motion 61 Report examines the many conflicts of interest which arise from the current Certificate holder/CB relationship. This M61 report should be used to identify potential conflicts for the CA and ways to overcome them so that this new body is set up free of such conflicts.
- 2) expert - the criteria for appointing the members needs to be clearly defined and if the appropriate people cannot be found then the process should not go ahead. There is, throughout all FSC processes including audits, a sad lack of social expertise. However, progressing this Remedy procedure is unthinkable for FSC unless appropriate experts can be found. Social expertise is needed for both identification of social harms and their remedy. That FSC was unable to find a social expert to participate in the TWG makes it very clear that there is a problem. This problem must be addressed before progressing further.
- 3) The form of the CA needs to be delineated - is it a formal body (like the PSC, or a pool of experts or a parallel CB like-scheme or something else?)
- 4) The criteria and process for appointing the members needs to be clearly defined and encompass the full skillset required. The criteria must be developed by experts in social harm and social remedy /compensation.
4. There should be a whole accreditation normative framework that applies to the competent authority for FSC to ensure their competence and impartiality.
5. like in audits, the competent authority also need to submit an evaluation report, with all information, indicators, photos, non-conformities, etc, for FSC and then go public, like the audits public summary reports. I think this is essential for the transparency of this process and assessment and feedback of FSC members and interested parts.
6. Competent Authority: there are many issues and questions with this structure and it is an critical part of the procedure that needs to be carried out with integrity. FSC, at least for the first 2 years needs to be the competent authority to fully test the procedure and carry out proper trial

requirements set up for Third Party Verifiers. FSC will consider the concerns and suggestions raised during the development of accreditation requirements.

Furthermore, is a process in FSC system that examines threats to the credibility and integrity of the FSC certification assessment system. Further information can be accessed [here](#).



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| <p>implementation before bringing in other entities to this role.</p>  |   |
| <p>5. The qualifications for Competent People need to be clearly defined. A few suggestions as followed: - no conflict of interest - have expertise and experience in forest work related to conservation and restoration - have understanding of forestry business and context - have understanding and experience of local context.</p> <p>7. Information about "Competent Authority" must be described clearly, whether it's a certification body or a team consisting of several key stakeholders. If the Competent Authority comes from the CB, it should be different from the CB that performs the certification of the Management Unit.</p> <p>8. Competent Authority should be the only approver, currently the procedure requires 5 tiers of approval for the remedy plan.</p>   | <p>TWG clarified the requirements for Third Party Verifier as following:<br/>To prevent conflict of interest the organization shall not use the same Third Party Verifier* entity for evaluating compliance to enable certification.</p> <p>Furthermore, the requirements for the expertise of Third Party Verifier is emphasized via its definition: An independent, third party company or organization approved by FSC international comprising expertise in, environmental and social harm and remedy required to verify compliance of remedy processes. (Source: FSC-POL-01-007 FSC Policy on Conversion Version 1-0 Draft 3-0)</p> <p>Lastly, TWG streamlined the approval process for the baseline assessment report, concept note, and remedy plan. Please refer to the second draft procedure for details.</p> |
| <p><b>Small-scale smallholder</b></p> <p>1. Small holder dispensation - should this not be a limited implementation of the remedy procedure.</p> <p>2. Analyse if looser conversion rules are a real reason for smallholders to join FSC or not.</p> <p>3. if special dispensation criteria will be set, FSC must avoid creating any new loopholes for large organizations to evade the conversion rules with the help of smallholders, for example through group certification.</p> <p>4. As for paragraph 2. EIR concept should be applied and see the cumulative synergistic effect of several 50 ha plots.</p> <p>5. add more transparency and would be careful with the requirement for smallholders and make sure that it doesn't apply in case of group certification of smallholders of less than 50 ha.</p> <p>6. The smallholders exemption should be demonstrated with a clear scientific/statistical justification for this threshold. Furthermore, the situation of smallholders in Europe where the ownership structure is well below 50 hectares is not considered as they do not meet at all the 2 proposed criteria. This threshold have to be adapted (size of FMU, size of conversion).</p> | <p>Firstly, the Policy defines Small-scale Small Holder, a different concept to small holders or SLIMF in FSC and a smallholder and small-scale small holder are not the same.</p> <p>TWG feels that small-scale small holders* should not be required to conform with this procedure for the certification of a Management Unit* of less than 50 hectares as long as they can demonstrate that they:<br/>depend on the land for most of their livelihood, and / or employ labor mostly from family or neighboring communities. While the TWG fully appreciate this input there is also a need to consider other aspects like the rights to development?</p>  |
| <p><b>Re-submission</b></p> <p>1. When wanting to restart and submit at concept stage to competent authority</p>   | <p>The second draft procedure requires that where the organization terminates the implementation of the remedy plan and later applies to resume the</p>   |



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|  | <p>mentioning reasons for earlier stopping and corrective action it has taken to avoid it to recur.</p> <p>2. If organizations end the annual audits, the re-entry point should be Part 2: Social and environmental baseline assessment, as environmental and social conditions can change in the meantime.</p> <p>3. In case the company stops implementation of the Remedy Plan, we understand that it should restart the process from the social and environmental baseline assessment (in step 4. There may have passed enough time and significant changes in the baseline scenario.</p> | <p>process, they shall re-start the process at the stage of re-submitting the Concept Note to address changes that may have occurred. if there are no material changes occurred during the phase when the remedy project was terminated, confirmation of re-starting of the process shall be sent to the Third Party Verifier* for approval and shall include the agreement of affected rights holders*. In the event of demonstrated and verified force majeure* the remediation actions shall be re-initiated to address the goals and objectives of the Remedy Plan and be evaluated as part of the certification process.</p> |
|  | <p><b>Other comments</b></p> <p>1. Guidance needed on aggregation of remedy actions to achieve social benefits.</p>   | <p>TWG provided further information on the aggregation of remedy actions. Please refer to procedure for details.</p>  |
|  | <p>2. Stipulate deadlines for each stage of evaluation and approval. Companies need to estimate how long the remediation process would take to foreseen when they would be able to sell FSC certified products.</p>   | <p>TWG feels that there is a need for flexibility in terms of the deadline for achieving remedy milestones based on varying localized conditions. Timeframes would thus vary based on stakeholder requirements and resources available for remedy. It is part of the function of the TPV to verify if the remedy plan is realistic or not. The conversion remedy procedure should focus on the remedy outcome, instead of deadlines and timeframes.</p>   |
|  | <p>3. Too much paperwork. Suggest simplifying paperwork other comment to simplify the process (3 levels notes, process, etc.)</p>   | <p>The TWG appreciates this input and has considered this against other membership concerns for an increased level of "proof" where there may have been historical harms caused by conversion.</p>  |
|  | <p>4. It may be preferable to use the Restoration Opportunities Assessment Methodology as a tried and true best practice guideline that will address many of the baseline assessment issues.</p>  | <p>The TWG believes that ROAM tool is more for site identification and objectives, not for restoration approaches and methods. It may be useful to include in the guidance document which TWG is currently discussing.</p>  |
|  | <p>5. Consider not including / clarifying CLPI?</p>   | <p>Does the respondent mean <a href="#">Community Land Protection Initiative</a>? This is not included in the procedure.</p>  |
|  | <p><b>Annex 1:</b></p> <p>1. The steps could be reordered as follows according to their complexity (from the least to the most complex): 1) evaluate the date when the conversion occurred; 2) if the conversion reached less than 5% of the FMU (very limited portion); 3) direct or indirect involvement in the conversion; 4) whether the conversion took place to establish the necessary infrastructure for management; 5) Assess the conversion threshold.</p>  | <p>TWG agrees with the comment No.2 that the annex 1 in procedure draft 1-0 should not be included in the procedure, as it describes the entry point of the procedure and shall be reflected in other parts of FSC system e.g. Policy for Association, conversion policy, etc.</p> <p>Furthermore, originally the conversion threshold is included in annex 1 of procedure draft 1-0, and in the procedure draft 2-0, TWG has extracted the conversion threshold requirements and revised into the following:</p>   |



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|  | <p>2. "Check Part 1 and Annex 1, cause they are not part of the scope of this procedure. They fit better in Policy for Conversion.</p> <p>3. point 1.2: There has to be coherence between nationally adapted thresholds to determine whether changing the land use would constitute conversion. It is good idea that these national thresholds need to be approved by the FSC. There has to be clear and transparent criteria for FSC's approval.</p>   | <p>The organization* applying for forest management certification shall use the Conversion Threshold* (or an FSC approved nationally adapted threshold) to determine whether the vegetation cover change constitutes conversion* according to the FSC Conversion Policy and triggers the application of this procedure. Besides, TWG provided conversion threshold diagram under annex 1 showing a representation of degradation* leading to the conversion threshold.</p> |
|  | <p><b>Guidance Document (Chamber specific)</b></p> <ol style="list-style-type: none"><li>1. Provide guidance &amp; description to mitigation and sites referred to in remedy harm.</li><li>2. Including remedy actions listed for social harm.</li><li>3. Provide examples of conservation, ecological restoration and social restitution outcomes</li><li>4. Provide guidance on the 'Status' of ecosystem services.</li><li>5. Will there be a more detailed guide to this procedure.</li></ol> | <p>TWG will discuss if to develop a guidance document alongside the remedy procedure to provide further technical guidance and descriptions on e.g. measurable indicators for the implementation and monitoring of remedy plan, examples of remedy outcomes, types of social restitution actions, etc.</p>   |

*Thank you very much for your valuable contribution to the development of FSC Conversion Remedy Procedure!*